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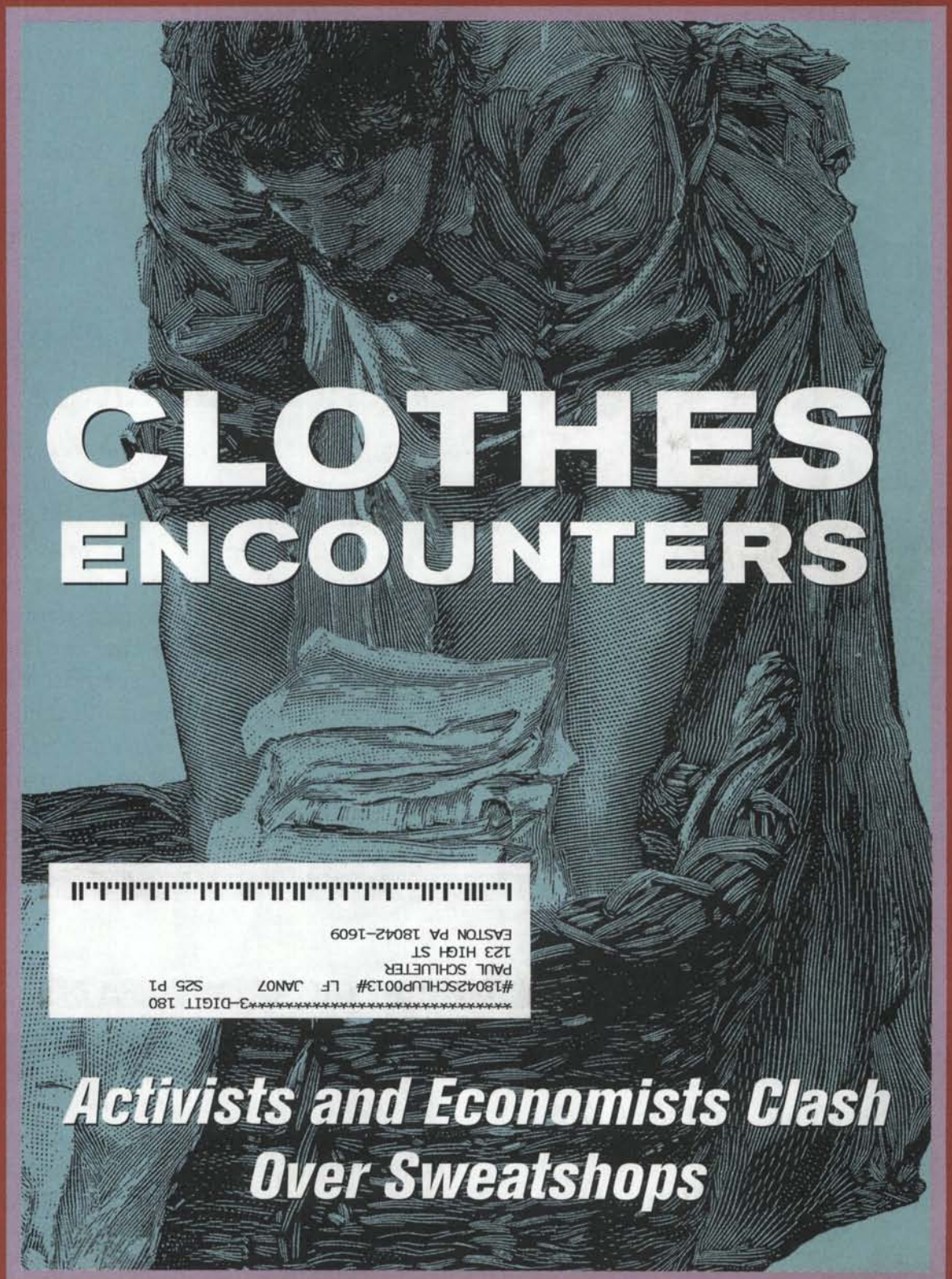

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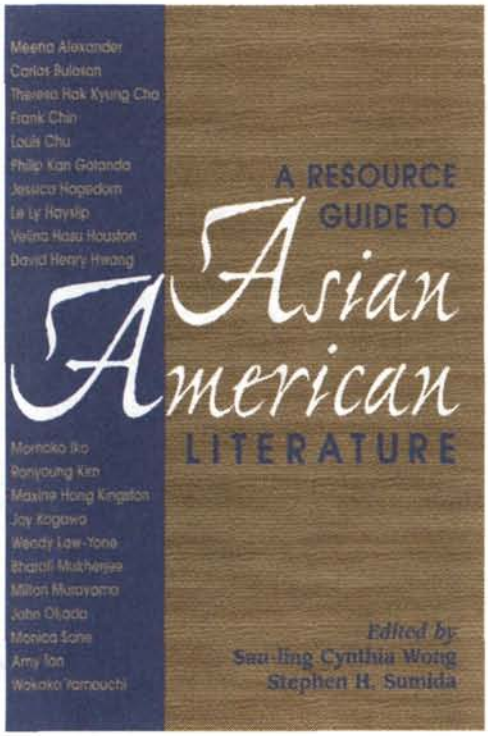

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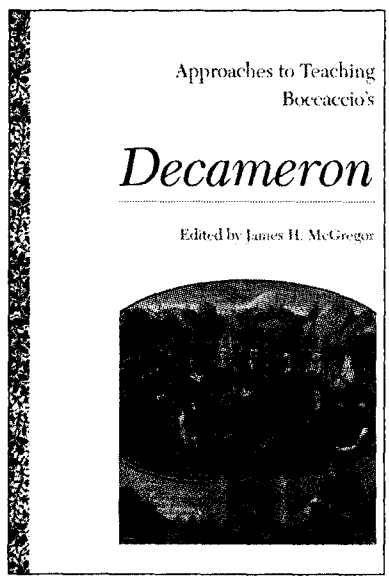

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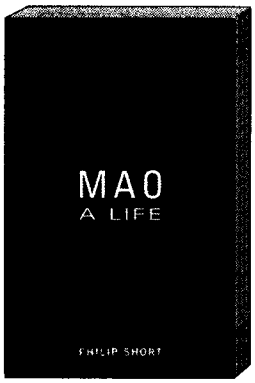

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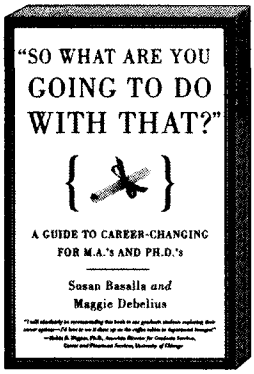

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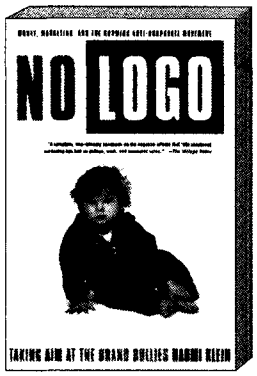

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LINGUA FRANCA:
A mixed language or jargon used in the Levant, consisting largely of Italian words deprived of their inflexions. Also transf. *Any mixed jargon formed as a medium of intercourse between people speaking different languages.*
Fig. *1819, "The Tragi-Comical History of the Lovers of Quimper-Corentin,"* Blackwood's Magazine.
"One day he overheard, in a coffee-house, some Greeks and Jews conversing, in lingua Franca, on a terrible adventure that had just happened in the seraglio: a beautiful European slave, that had been lately brought thither, had made great resistance to the desires of the grand seignor."

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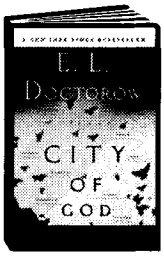

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by Richard Rayner

A young boy named Esko mourns the death of his mother, who died in the same fire that scarred his face. A *pilvenpiirtaja* –"cloud sketcher," or skyscraper–sparks Esko's lifelong quest for beauty. He becomes an architect, believing that if he can create unparalleled loveliness then he will be worthy of the love of a Russian aristocrat's beautiful daughter. This transforming journey into the heart of beauty and the peril of love is a lyrical epic that resurrects history with authenticity.

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ACROSS THE UNIVERSE

I try and I try, but I fail to understand the logic behind the Cosmic Designer Hypothesis ["War of the Worlds," Hypotheses, December/January]. Is there any empirical evidence that the "fundamental constants of physics —the strength of gravity, the ratio of the mass of the proton to that of the neutron, the energy density of empty space"—can have any values aside from those they actually have? Are there, in fact, any choices for a designer to make? Or has the universe simply assumed the only structure available to it? Does anyone know whether we inhabit the first or the last universe to form, or are we, as seems likely, in some unremarkable middling position? And, perhaps most important, are some academics attracted to this topic because it is impossible to speak sensibly (or knowledgeably) about it, or is there some deeper reason? Inquiring minds want to know.

M.W. KLYMKOWSKY
Professor of Molecular, Cellular, and Developmental Biology
University of Colorado

Both the Cosmic Designer and Multiple Universes hypotheses are moot. Jim Holt explains that the Cosmic Designer Hypothesis "is one way of explaining the improbable fine-tuning of nature's laws." But the argument that the chance occurrence of our "fine-tuned" universe is "improbable" is tenable only if one assumes that an infinite pool of possible universes exists. As for the Multiple Universes Hypothesis, it differs only in that it assumes that the pool of possible universes is actual rather than hypothetical. Ultimately, both hypotheses illustrate the futility of applying probability theory to a single observation (our universe) in the absence of any knowledge or evidence of a distribution (hypothetical or actual) from which the observation was drawn. In a coin toss, we can know the probability of obtaining a given outcome only if we know what both sides of the coin look like. For all we know, the universe is a two-headed coin.

KEVIN EVERHART
Postdoctoral Fellow
Department of Psychiatry
Health Sciences Center
University of Colorado

MARRIAGE WORK

Elise Harris's article about Linda Waite's work on marriage ["Can Marriage Be Saved?" November] contains an implication that deserves to be made explicit. Whatever it may have been twenty years ago, the wage gap that continues to trouble feminists today is in part the result of conscious choices made by heterosexual couples about who does what in marriage. Even in the absence of gender barriers and constraints, women tend to do the day care, men tend to do the overtime. Since husbands and wives who specialize in this way also generally pool their financial resources, the resulting income gap between them isn't an injustice—it's evidence of their rationality as partners. Some women's groups continue to publicize this gap as a measure of economic discrimination against women. It isn't. Fair and free choice doesn't magically become injustice when it's summed.

ALBERT TEREGO
Adjunct Faculty
Goddard College
Plainfield, VT

EVENT OF THE MONTH

On Thursday, March 1, at 6:30 P.M., *Lingua Franca* and New York University's Cultural Reporting and Criticism Program co-host a panel discussion about public intellectuals. The panelists are Michael Ignatieff, Russell Jacoby, Roger Kimball, Ellen Willis, and Alan Wolfe. The event takes place in the Main Building of Jurow Hall, at 100 Washington Square East in Manhattan. Please see the ad on page 12 for more details.

WEB NEWS

We are happy to announce two new features appearing on the *Lingua Franca* Web site. **The BiblioFile** is a weekly column surveying reviewers' reactions to new books of interest. **LF Daily** offers a new link each weekday to academic news and commentary on the Internet. You can find them both at www.linguafranca.com.

CORRECTION

In our February issue, we neglected to credit North Wind Picture Archives for the use of the imagery on the cover. We apologize for the oversight.

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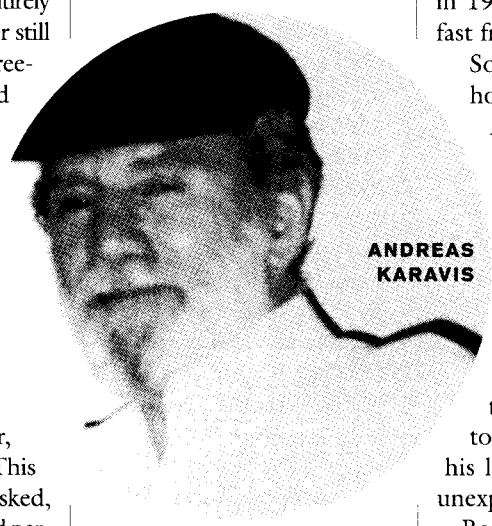
THE PHANTOM FISHERMAN

AT A MONTREAL RESTAURANT last October, an unusual launch party greeted a book called *Saracen Island: The Poetry of Andreas Karavis.* Hosted in part by the press attaché of the Greek embassy in Ottawa, the party feted a poet who was not entirely expected to attend. Odder still was the post-party disagreement over whether he had in fact shown up. True, a man claiming to be Karavis, and who certainly looked and sounded the part—he muttered in Greek and wore a fisher-man's cap—had briefly dropped by. But was he the elusive Cycladic bard or a mere impostor? For that matter, did Karavis even exist? This latter question had been asked, with mounting interest and perplexity, by many Canadian literati over the previous year. As Matthew Hays, a columnist for *The Globe and Mail,* posed it in a headline, KARAVIS: GREEK GOD OF POETRY OR LITERARY HOAX?

The key to this enigma belongs to Karavis's supposed translator and exegete, David Solway. Many observers of the Karavis phenomenon have speculated that Solway, a poet and essayist known for his mischievous nature, invented the Greek poet. It's a charge the Canadian has vehemently denied—until now. Reached in November at his home outside Montreal, Solway admitted to *Lingua Franca* that Karavis is a figment of his imagination. And the man affecting to be Karavis? None other than the Solway family dentist.



ANDREAS KARAVIS

It all began in October 1999, when the review *Books in Canada* ran a lavish spread on Karavis, touting him as "Greece's Modern Homer." Along with a clutch of poems by Karavis, the review featured a "rare interview" with the poet; a snapshot, in which he appeared bearded, capped, and smirking; and a biographical essay by Solway. Karavis was born in 1932 on Crete, Solway wrote, and later moved to Sérifos, then Lipsi. Plying his caïque among the Cyclades, he sold his poems alongside his fish, sometimes even giving them away "as a bonus with the evening catch." Eventually his island reputation broadened into a national one, so that today his poems are anthology chestnuts and a staple of school primers. But despite his burden of laurels, Karavis is a retiring and secretive creature. Indeed, it was only after an extensive manhunt that Solway ran the poet to ground in 1991; the two have been fast friends ever since.

Solway confesses that he hoodwinked the editor of *Books in Canada,* who apparently assumed Karavis to be real. But some of the review's readers were less easily duped. In the following issue, a letter to the editor appeared by Fred Reed, a Hellenist and translator. Predictably, Reed took issue with Solway, but his line of attack was quite unexpected.

Reed disputed neither Karavis's existence nor his excellence; on the contrary, he inflated him to "a poet of near-mythical dimensions." Where Reed caviled was over biographical data. Adducing the sleuth work of one Professor C.D. Candias, Reed made Karavis out to be a decidedly shifty character, one who falsified his ancestry and smuggled cigarettes for a living. And then Reed dropped his bombshell: Karavis's first verses, Candias had discovered, were but "pirate translations" of poems by "the Hydra Mafia," a group

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of Canadian expatriate writers. Juiciest of all, "rumor suggests that Karavis may actually have appropriated some of the earlier poetry of David Solway."

Like it or not, Solway had gained a conspirator. Nor was Reed the only one: Yiorgos Chouliaris, the aforementioned press attaché, wrote a letter commending Solway for his "extremely imaginative efforts" on Karavis's behalf. Why did Chouliaris choose to play along? "I thought it appropriate," he says, "to honor a Canadian writer who went to such roundabout lengths to validate his lifelong involvement with Greece." When Solway saw the letter, he contacted Chouliaris, who agreed to help nurture Karavis's burgeoning career.

The con quickly acquired a life of its own. Reports circulated that conferences on Karavis were planned at the University of Thessaloníki in Greece and the University of Coimbra in Portugal. At a party, Solway met a writer who claimed, in all seriousness, to have admired Karavis's work for many years, and another who solemnly opined that Karavis was "Nobelizable." Solway even received, from Greece and in Greek, two postcards from Karavis, the first berating Solway for having disseminated his picture, the second pardoning the lapse. To this day, Solway has no idea who sent the cards.

Meanwhile, Solway upped the ante by publishing *Saracen Island,* of which the following poem is fairly representative:

> I remember the wine was
> sweet
> and the bread always fresh.
> We conversed in Lyric, rich
> and passionate,
> and the young girls, intact
> for marriage,
> blessed their men in every
> dialect.
>
> In the village
> curling like a sprig of
> jasmine by the sea
> it was almost impossible
> to imagine betrayal: sour
> wine, stale bread,
> bad verse, unfaithful wives.

Besides producing eighty pages of poetry, Solway had spun out more than twenty of commentary. In his notes, he expertly informs the reader that Karavis abominates Rilke and that "the tamarisk may be regarded as [his] heraldic tree."

As if that were not enough, Solway also published *An Andreas Karavis Companion,* a madcap critical apparatus and mishmash of Karavisiana. Here one finds an excerpt from a Lipsi tourist brochure that reads, "Adding more to the charms of fabuled Lipsi there is existing here the great poet Andreas Karavis," and an account of a conversation with Karavis about North American and European gender politics, which winds up with Solway producing "a magazine photo of Andrea Dworkin I keep as a talisman in my wallet" and with Karavis "collapsed in a paroxysm of laughter."

But if Solway permits himself a bit of sport, he also takes Karavis seriously. "I arrived," Solway explained in a letter to *Lingua Franca,* "at a juncture that may be described as both impasse and crossroads.... The tone, stance, and poetic attitudes that had marked my work for a decade were, I felt, exhausted and in need of replacement. Such a 'new' language cannot be summoned by fiat; it must flow from a new set of postulates and a new quality of experience.... So I invented Karavis to serve as alter ego and heteronym, provided him with a life history, and situated him as a sort of renegade and loner in the polemical context of contem-

Is Andreas Karavis, the elusive Cycladic bard, merely a figment of his translator's imagination?

@#$&%*#&$%!

"THE MYSTERY REMAINS," WRITES THE SLOVENE JOURNALIST Bernard Nezmah in the *Central European Review*: "Why do Serbs have a whole Bible of swear words, while other cultures use only ten or so basic forms?" According to Nezmah, Serbian expletives come thick, fast, and multifariously. English translators have frequently been flummoxed by such curses as "Fuck your rat!" and "Fuck your infidel house!" A Serbian business dictionary, Nezmah writes, explains that "elsewhere...old friends greet each other with 'Hi, it's been a long time!' But the Serbian translation reads...'Motherfucker! Where've you been?'" Similarly, "What is that man's function in the business?" translates to "Which dick is that one?"

In Novi Sad, Yugoslavia, a fall conference on Serbian obscenities drew a crowd of academics and enthusiasts—including, writes Nezmah, an agricultural engineer who collects curses from farmers, an etymologist who compares Serbian and Slovene epithets, and a prison official who is compiling a typology of prisoners' curses. Material for study abounds in Serbia—Nezmah's drivers provide "Fuck your God!" on the way in and "God'll fuck you!" on the way back. But the linguists' holy grail remains ensconced in the Serbian Academy of Sciences and Arts: There, academicians have allegedly filed obscene passages away in a yellow box, lest the nation's literary greats be misconstrued as mere authors of "fuck poetry."

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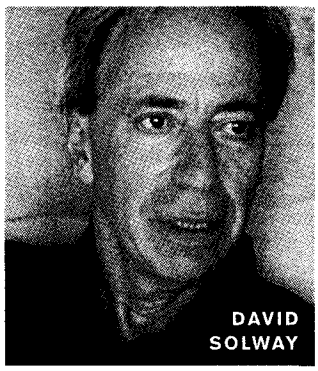
porary Greek poetry." The term "heteronym" ineluctably brings to mind Fernando Pessoa, with whom Solway is pleased to be compared.

What he discourages, however, is close analogy between his fabrications and those of mere pranksters. "Karavis is not a hoax in the usual sense of the term. My intent is not deflationary in the tradition of Harold Stewart and James McCauley's Ern Malley or



DAVID SOLWAY

"I am not interested in perpetuating a deception but in creating a style," Solway says.

Kent Johnson's 'Hiroshima poet,' Araki Yasusada," he said, alluding to an Australian poetry hoax of the mid-1940s and an American one of the 1990s, both of which pointed up the gullibility and aesthetic bankruptcy of the avant-garde. Nor does Solway see himself as the heir of earlier hoaxers such as James Macpherson and Thomas Chatterton. "I am not interested in perpetuating a deception but in creating a style," he explained. As Peter Davison, poetry editor at *The Atlantic Monthly*—in which Solway, with Davison's informed consent, published a Karavis poem—put it, "Why is it so important that another name was used? What should matter, it seems to me, is whether the poems contain vitality, identity as poems."

Still, Solway clearly relishes the practical-joke side of *l'affaire Karavis,* in no small part because it allows him covertly to tweak his countrymen. "Canadians are not a very exciting people," he says. "Like rubes at a carnival, they need to be poked, challenged, gulled, bedazzled, so that the collective jaw drops in something other than an insufficiently stifled yawn." Solway also derives bittersweet irony from the fact that having published a raft of books in both poetry and prose, he has won Canadian fame only in the guise of a grizzled Greek sea dog.

When all is said and done, how persuasive *is* Karavis? Rachel Hadas, an American poet known for her connections with Greece, finds that "some of the poems are quite good, but many do not seem to me to be extremely plausible as poems translated from Greek." Certainly, some Greeks are not amused: In December 1999, *To Vima,* a major Athenian newspaper, sternly upbraided Solway and Reed for having bamboozled Canadian readers (although, bizarrely, the article included a boyhood photo of Karavis).

What's surprising is the degree to which the Canadian press has coyly abetted the hoax, or at least refrained from rumbling it. To an American audience, all this may look like a big canard in a small pond. Such a national flap is almost inconceivable in the United States—and that, perhaps, is our loss.

BEN DOWNING

TOO FEW IN THE PEW?

"VISIT A CHURCH AT RANDOM next Sunday and you will probably encounter a few dozen people sprinkled thinly over a sanctuary that was built to accommodate hundreds or even thousands." Thus began a review by *New York Times* editorial writer Brent Staples of *God's Name in Vain,* the latest book by the Yale Law School professor Stephen Carter. "The empty pews and white-haired congregants lend credence to those who argue that traditional religious worship is dying out."

Staples meant to set the stage for a discussion of the role of belief in politics. But upon reading those words in the November 26, 2000, *New York Times Book Review,* a smattering of religion scholars across the country spit out their Sunday coffee. The review, snorts Rodney Stark, a sociologist at the University of Washington, was "the most pathetic, misinformed thing I've seen in a long time."

As it turns out, America's rates of churchgoing are the subject of a long-running debate among sociologists of religion. For decades, scholars have agreed that Americans have a distinctly high level of religious commitment compared with citizens of other nations. Over 90 percent of Americans say they believe in God, and since the 1930s at least 40 percent of Americans have told pollsters that they attended services in a given week. (By contrast, the rate in Australia, Canada, and Belgium is 20 percent. England is at 10 percent, and Scandinavia at 4.) In recent decades, there has been a demographic shift away from mainline churches toward evangelical denominations, but the conventional wisdom has it that overall church attendance has remained constant.

In the early 1990s, however, three scholars decided to see if that was so. C. Kirk Hadaway, of the United Church Board for Homeland Ministries, Penny Long Marler, of Samford University, and Mark Chaves, then at the University of Notre Dame, focused on Ashtabula County in Ohio, population 100,000. They tracked down every Protestant house of worship in Ashtabula and obtained attendance figures from every minister they could. Where those figures

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weren't available, the researchers counted cars in church parking lots.

Summing up their findings in the December 1993 issue of *American Sociological Review,* the three scholars reported that when they surveyed Ashtabula residents, 36 percent claimed to have attended church over the previous seven days. But the authors' head count revealed that only 19.6 percent of residents actually showed up for services. Hadaway, Marler, and Chaves bolstered their Ohio findings by comparing survey data with attendance figures reported by priests in eighteen Catholic dioceses in different counties. Fifty-one percent of Catholics claimed they had gone to Mass; 28 percent actually went. "We have shown that the church attendance rate is probably one-half what everyone thinks it is," the authors crowed.

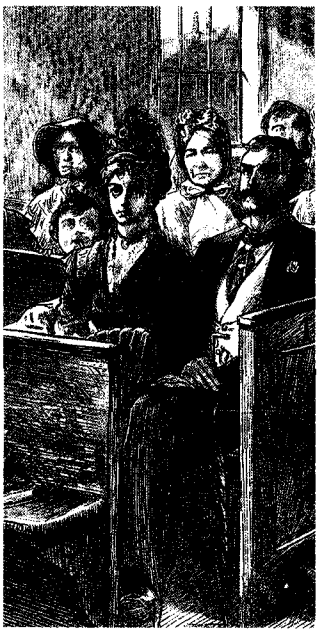
Predictably, a counter-reformation followed that proclamation of dissent. In a February 1998 *American Sociological Review* symposium, Berkeley's Michael Hout and the University of Chicago's Andrew Greeley (the priest cum popular novelist) challenged Hadaway, Marler, and Chaves's "head counts," charging that the researchers had relied too heavily on ministers' sloppy guesstimates. Moreover, Hout and Greeley argued, the traditional data withstood rigorous internal checks. For example, people in "intellectual" professions like teaching or science, who presumably face little social pressure to conform in religious behavior, still reported church attendance rates of 38 percent. Hout and Greeley therefore conceded a 5 percent "social desirability" bias in the traditional figures, but no more.

Other participants in the same symposium, however, supported Hadaway, Marler, and Chaves, with some even contributing fresh evidence. Stanley Presser, a sociologist at the University of Maryland, and Linda Stinson of the Bureau of Labor Statistics pointed to a time-use survey that the Environmental Protection Agency had commissioned in 1992–94 in order to study pollution exposure and compared it with similar surveys conducted in 1965–66 and 1975. Respondents recorded how they spent each minute of selected days. Presser and Stinson assumed the subjects would have felt little incentive to exaggerate church attendance in that context, since it would be just one activity among many (including, say, napping or taking out the garbage).

The time-use surveys showed decline: In 1966, 42 percent reported going to church, whereas in 1992–94, only 26 percent did. In *Bowling Alone* (Simon & Schuster), his high-profile study of American social isolation, the Harvard political scientist Robert Putnam cites the findings of both the Presser group and the Hadaway group as proof that Americans spend less time in church than they used to. He also compiled polls showing a 10 percent decline in religious attendance since the 1950s.

That last figure, however, could be deceptive. Almost everyone agrees there was a tick upward in religious attendance and observance in the 1950s, notes Robert Woodberry, a sociology graduate student at the University of North Carolina at Chapel Hill who took part in the 1998 symposium. Woodberry contends that if you omit the anomalous 1950s, self-reported attendance figures have remained steady since modern surveys began, in the 1930s. In a paper he presented at the Society for the Scientific Study of Religion meeting last October, he suggested that Presser and Stinson's time use data were marred by methodological flaws: Namely, some of the earlier surveys took place around Easter and during Advent. Though Woodberry concedes that church attendance is lower than 40 percent, he maintains that "it's certainly higher than 20 percent." He believes the main thing skewing the data is reliance on telephone polls,

Hadaway and his colleagues counted the cars in church parking lots. They found fewer than they expected.



THE PATHOLOGY OF POOH

THOUGH BELOVED BY CHILDREN, PARENTS, AND EDUCATORS around the world, Winnie-the-Pooh is a psychologically damaged individual with poor brain growth and an eating disorder.

So conclude Dr. Sarah E. Shea and four colleagues in "Pathology in the Hundred Acre Wood: A Neurodevelopmental Perspective on A.A. Milne," a not-quite-serious article in the December 12 issue of the *Canadian Medical Association Journal.* Shea and colleagues find that Pooh displays a "comorbid cognitive impairment, further aggravated by an obsessive fixation on honey." In fact, the Hundred Acre Wood is a veritable asylum: Eeyore "would benefit greatly from an antidepressant," Tigger "has a recurrent pattern of risk-taking behaviours," and poor Piglet suffers from generalized anxiety disorder.

Fine, but is there anything wrong with kids reading stories about animals with issues? Shea doesn't think so. "I think it's good if the characters are presented in a way that helps kids learn something," she says. "For instance, there's something wrong with Pooh—he has 'Very Little Brain' and forgets things. But everybody loves him anyway."

—Maura Kelly

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Woodberry believes that most people tell the truth about attending church.

since easy-to-reach people—homemakers, married couples, people with nine-to-five jobs—are disproportionately religious.

Woodberry took up the church attendance issue because he thought the Hadaway group's findings raised serious questions about the reliability of self-reported data. But though his research allowed him to breathe a sigh of relief—people generally do tell the truth about church attendance, Woodberry now believes—the experience was otherwise disheartening. "I've been really shocked at how political this debate is," he laments. Some scholars who adhere to the 40 percent church-attendance figures see those who challenge them as ideologically obsessed. "These guys are married to the secularization thesis," says Rodney Stark. "They say that religion is going to be gone by next Tuesday. If not then, then Friday. They have been saying it for 150 years. Nothing has happened." But on the other side, says Mark Chaves, now at the University of Arizona, "sociologists of religion have kind of taken it as their mission to show that religion is still important in modern life."

"Anything that suggests that religion might be of declining importance or of less importance than we might think," he adds, "is threatening."

CHRISTOPHER SHEA

SAFETY SCHOOL

ON FEBRUARY 25, 2000, Columbia law professor Gerard Lynch addressed the Columbia University Senate about proposed changes to the university's sexual-misconduct policy. Lynch worried that the changes would deprive accused students of the right to due process. But his concerns were not widely shared. "I proposed a variety of amendments," he recalls dryly, "and I had an interesting afternoon having them rejected."

Lynch's failure testifies to the strength of a student group, Students Active for Ending Rape (SAFER), which had garnered widespread support for the proposed changes over the last three years. But now that Columbia has followed SAFER's lead and revised its policy, opposition is growing.

SAFER ran a well-organized campaign, repeatedly citing a powerful statistical discrepancy: Almost no rapes are reported at Columbia, yet local hospitals treat several sexually assaulted patients from Columbia each month. Furthermore, at the school's annual Take Back the Night

AFTER THE PUBLIC INTELLECTUAL
A Discussion

Sponsored by New York University's Cultural Reporting and Criticism Program and *Lingua Franca*

Thursday, March 1, 2001, 6:30 P.M.
New York University
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Michael Ignatieff, visiting professor at the Kennedy School of Government, Harvard University, and author of *Isaiah Berlin* and *The Warrior's Honor*

Russell Jacoby, visiting professor of history at UCLA and author of *The Last Intellectuals* and *The End of Utopia*

Roger Kimball, managing editor of *The New Criterion* and author of *Tenured Radicals* and *The Long March*

Ellen Willis, director of the Cultural Reporting and Criticism Program at New York University and author of *Don't Think, Smile!* and *No More Nice Girls*

Alan Wolfe, director of the Biosi Center for Religion and American Public Life at Boston College and author of *One Nation, After All* and *Marginalized in the Middle*

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Has the rising interest of many academics in becoming public intellectuals led to a more salutary exchange of ideas between the university and the public? Or has it simply made the gap between academic discourse and the culture at large more visible? Given the vast changes that have taken place in the university, the publishing industry, and the media, is it still possible to be a public intellectual in any meaningful sense?

On the occasion of the publication of *The Sokal Hoax: The Sham That Shook the Academy* and a new edition of Russell Jacoby's *The Last Intellectuals*, New York University's Cultural Reporting and Criticism Program and *Lingua Franca* have invited five authors to discuss how the work of intellectuals does, and should, intersect with the public sphere.

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rallies, many female students tell harrowing stories of being sexually assaulted. What was it about Columbia's sexual-misconduct policy, SAFER wondered, that made women reluctant to file formal complaints?

To help assaulted women feel more comfortable about coming forward, the updated policy included a number of relatively uncontroversial provisions—the hiring of a sexual-assault policy coordinator, better training for deans, and an improved administrative process for recording assaults, for instance. But under the policy's new disciplinary procedure, accuser and accused would not appear in the same room together; they would not be permitted to reveal identifying information about the involved parties (including themselves) to anyone outside the process; the accused would not be permitted to cross-examine their accusers or see verbatim transcripts of their accusers' testimony; and the statute of limitations would be extended from 180 days to five years.

Supporters of the updated policy argued that its "non-adversarial approach" was warranted by the special nature of sexual-assault complaints. They also reminded critics that, under the school's general due process standards set out by the University Senate in 1980, the accused would still be notified of the charges; provided opportunities to be heard and to rebut; and given a right of appeal. Sexual-misconduct procedures at other schools often incorporate similar "non-adversarial" tactics—avoiding cross-examination of the accuser, relying on written statements from the participants instead of staging direct encounters—though they often allow the accused and accuser to appear in the same room.

Still, Lynch and other critics contended that the changes to the policy would place the accused in a Kafkaesque bind, with very few means by which to defend themselves. How, for instance, can an accused student go about researching and preparing a defense when the policy prohibits publicly disclosing even *his own* involvement in the case?

As SAFER was gearing up for victory, Harvey Silverglate, a criminal defense and civil liberties attorney, became aware of SAFER's battle—and after the new disciplinary procedure was adopted, he vowed to contest it. Co-author of *The Shadow University: The Betrayal of Liberty on America's Campuses* and co-founder of the watchdog organization the Foundation for Individual Rights in Education (FIRE), Silverglate came across one of SAFER's flyers in the spring of 1999 while visiting his son Isaac, a Columbia undergrad. Silverglate says he was "astounded" by the positions put forth in the flyer, which quoted a controversial study claiming that one in three undergraduate women is raped during her college career, proposed that there was no reason to assume Columbia was any safer than the national average, and concluded that rape at Columbia was thus radically underreported.

"I thought it was the most ridiculous thing in terms of logic and reasoning, a very weak argument for repealing due process," says Silverglate, a board member of the Massachusetts ACLU who spent his early career defending Black Panthers and the American Nazi Party. Silverglate believes policies like Columbia's are the result of the widespread influence of '60s-era figures like Herbert Marcuse, whose argument in favor of restricting the rights of the dominant class strikes Silverglate as a deluded formula for turning victims into oppressors.

When the revised disciplinary procedure passed last February, Silverglate put Columbia on FIRE's case roster and set the public-relations machine in motion. FIRE quickly gained some impressive allies, including Feminists for Free Expression and the NYCLU's Norman

STUDENT PROTEST AT COLUMBIA, NOVEMBER 1999

Under Columbia's new disciplinary procedure, the accused cannot cross-examine their accusers. Nor can they see verbatim transcripts of their accusers' testimony.

SAFER

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At many schools, sexual misconduct policies incorporate "non-adversarial tactics."

Siegel. *Village Voice* columnist Nat Hentoff devoted several articles to his criticisms of the new policy, and *The Wall Street Journal* weighed in with an editorial supporting FIRE. "I believe that the policy in question, though well-intended, is profoundly flawed," wrote the Columbia law professor Vivian Berger in a carefully phrased opinion piece in the *Columbia Daily Spectator*. She argued that the policy "patronizes complainants—usually women—by treating them like children, who are sometimes permitted to testify outside the presence of the allegedly abusive defendant." Despite the criticism from FIRE and its allies, the policy remains securely in place.

Not all defenders of due process are entirely hostile to Columbia-style approaches; some even see the possibility for compromise between the two camps. Leslie Pickering Francis, a professor of both philosophy and law at the University of Utah, would like to find a way of encouraging women to report sex crimes without having to face their assaulters. A more accessible, less intimidating, more "conciliatory" system, Francis argues, will encourage more women to report assaults, and thus make it more likely that authorities will recognize repeat offenders.

But Francis, the author of the upcoming *Sexual Harassment as an Ethical Issue in Academic Life* (Rowman & Littlefield), acknowledges that if the accused lack strong due process protections, then perhaps punishments ought to be softened accordingly—even an apology might suffice in certain cases. Reduced punishment is not part of the approach at Columbia, where students can be expelled. (It's an admittedly minor punishment for rape, but a major penalty for someone who hasn't received due process.)

In some respects, Columbia's new disciplinary procedure resembles its old disciplinary procedure. Until 1995 the university's sexual-

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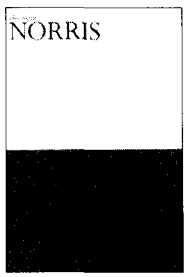
New From Routledge



Deconstruction and the 'Unfinished Project of Modernity'

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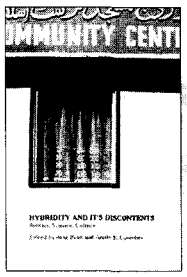
—John Drakakis



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misconduct policy was known as "dean's discipline," under which deans settled disputes privately, with little oversight. Dean's discipline was replaced in 1995 by a new policy that included a new "gatekeeper" system under which a designated go-between handled complaints. SAFER activists say that this system was convoluted and vague and resulted in many students being rebuffed, or even ridiculed, in the initial stages of the process. The gatekeeper system was deemed a failure by the university senate in 1998.

Now, the disciplinary procedure adopted in February seems to resurrect a modified version of the earliest model: Decisions will once again be made in deep confidentiality by deans—albeit deans who are specially trained to deal with sexual misconduct and who will work with a student representative allied with the activists. Has SAFER placed discussion of sexual misconduct back behind closed doors?

In a letter to *The Wall Street Journal* in October, Alan Stone, Columbia's vice president for public affairs, assured critics that changes to the new disciplinary procedure "can and will be made" in the event that it fails to work fairly. Critics like Gerard Lynch, though, can't help finding some irony in the situation. "Were this not about sexual assault, one might expect the position to be reversed: left-wing students favoring checks on the administration, others favoring a greater ability of administrators to discipline students."

"The university administration gains power over students," he says ruefully. "And gets applauded by students for doing it."

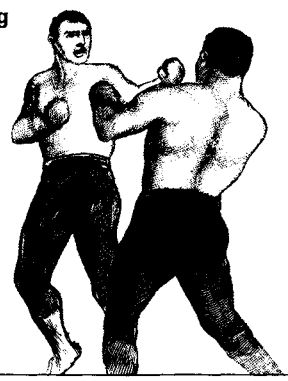
EMILY NUSSBAUM

HOW TO START A LITERARY FEUD AND WHY

ARGUMENTS ABOUT LITERARY CRITICISM ARE COMMON ENOUGH. But it's not every day they make the gossip pages of the *New York Post*. This one did.

Terry Eagleton, reviewing Harold Bloom's *How to Read and Why* (Scribner, 2000) in the London *Observer*, August 20, 2000: "Bloom may idolise Shakespeare with all the sticky sentiment of a teenage groupie, but his own language can be as cheap and threadbare as Jimmy Swaggart's. This book provides us with a number of reasons to read great literature, but none at all to read Harold Bloom."

Harold Bloom, reviewing Terry Eagleton in *The Times* of London, November 28, 2000: "The wretched Eagleton. The man can't read or write, he is nothing but a pompom. He is wretched, he is not even to be pitied, but to be held in total contempt. I loathe what I call his school of resentment or, as I once called them, the rabblement of lemmings, rushing down to the sea. Marxists? Ha! They are a very strange blend of pseudo Frenchy balls."



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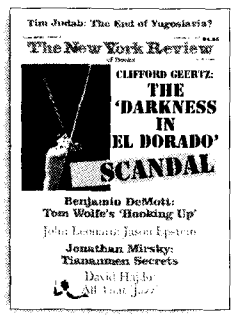

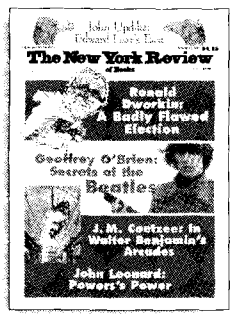

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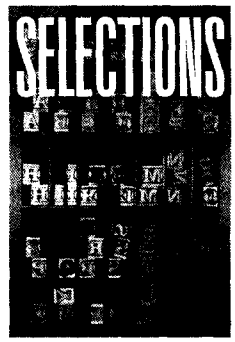

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Breakthrough Books

MEXICO

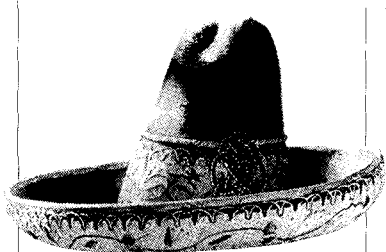
WE ASKED FIVE SCHOLARS TO RECOMMEND THE BEST RECENT BOOKS ABOUT MEXICO.

Jonathan A. Fox, chair of the Latin American and Latino studies department at the University of California at Santa Cruz and co-editor, with L. David Brown, of *The Struggle for Accountability: The World Bank, NGOs, and Grassroots Movements* (MIT, 1998).

"Mexico's persistent combination of competitive electoral politics and powerful authoritarian enclaves has long confused scholars whose frameworks assume homogeneous national institutions. Some political scientists and sociologists, however, are now catching on to what historians and anthropologists have long understood: the importance of regions for understanding Mexican politics. This approach is well represented in ***Subnational Politics and Democratization in Mexico*** (Center for U.S.-Mexican Studies, University of California at San Diego, 1999), edited by **Wayne A. Cornelius, Todd A. Eisenstadt,** and **Jane Hindley.** It is no coincidence that the first opposition party to win the presidency since Mexico's revolution did so by first building up a steady track record of governing at the state and local level. At the same time, in Mexico's deep south, regionally entrenched authoritarian rule slowed the national transition to democracy—as the 1994 elections showed. This volume begins to untangle the complex threads that link a nation's center to its regions."

Eric Zolov, assistant professor of Latin American history at Franklin & Marshall College and co-editor, with Robert H. Holden, of *Latin America and the United States: A Documentary History* (Oxford, 2000).

"Two recent books by **Sergio Aguayo Quezada** are refreshing efforts to understand how, and at what cost, Mexico's Partido Revolucionario Institucional (PRI) managed to hold on to power for so long. In the recently translated ***Myths and [Mis]Perceptions: Changing U.S. Elite Visions of Mexico*** (Center for U.S.-Mexican Studies, University of California at San Diego, 1998), Aguayo argues that the mainstream U.S. media made key assumptions



about Mexico that not only precluded a more critical assessment of that nation's authoritarianism but also transformed the media into an ally of U.S. policy throughout the Cold War. Aguayo's book revolves around a content analysis of 6,903 *New York Times* articles. Spanish-language readers may prefer ***1968: Los archivos de la violencia*** (Grijalbo/Reforma, 1998), a focused and gripping exploration of a pivotal moment in modern Mexican history: the period just before the 1968 Olympics in Mexico City, when the democratic impulses of middle-class youth ran headlong into the repressive apparatus of the state. Among Aguayo's strengths is his insistence on the inseparability of domestic and international forces in understanding the longevity of Mexico's one-party system."

Anne Rubenstein, assistant professor of history at Allegheny College and author of *Bad Language, Naked Ladies, and Other Threats to the Nation: A Political History of Comic Books in Mexico* (Duke, 1998).

"Future historians of post-revolutionary Mexico have a problem: Some of the world's best writers—notably Carlos Fuentes, Elena Poniatowska, Alma Guillermoprieto, Salvador Novo, and Carlos Monsivais—have gotten there first. The best new histories of modern Mexico have followed the lead of these authors in taking up cultural questions, often examining the intersections of media, gender, and the state. **Julia Tuñón**'s elegant analysis of women in the movies, ***Mujeres de luz y sombra en el cine mexicano: La construcción de una imagen, 1939–1952*** (Women of light and shadow in the Mexican cinema: The construction of an image, 1939–1952; El Colegio de México, 1998), exemplifies this pattern (and deserves an English translation). The anthropologist **Quetzil Castañeda**'s ***In the Museum of Maya Culture: Touring Chichén Itzá*** (Minnesota, 1996), a fascinating and thorny ethnography of Mayans, tourists, and representatives of the Mexican state, explores similar questions about the relationships between state agencies and the lives of ordinary Mexicans. Neither the

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Tuñón nor the Castañeda is a good starting point for someone unfamiliar with recent Mexican history, but both books will interest scholars studying regions far beyond Mexico's borders."

Ilan Stavans, professor of Spanish at Amherst College and author of *The Essential Ilan Stavans* (Routledge, 2000).

"Among the most memorable books to come out of Mexico in the twentieth century is **Jorge Volpi's** ***En busca de Klingsor*** (In search of Klingsor), a detective novel that was published in Spain in 1999 and received that country's Biblioteca Breve Prize. Its central theme is Adolf Hitler's quest to develop the atomic bomb. The novel's climax features the same historical event the Broadway play *Copenhagen* rotates around: the meeting in Denmark of the physicists Niels Bohr and Werner Heisenberg. *En busca de Klingsor* is far from a perfect book; it is more enchanted with philosophy than with physics, and the result is at times obtuse and infuriatingly ethereal. Still, there is much to prize in these pages, in particular the fact that the book is as un-Mexican as one could imagine—its characters are American and European, and its action takes place in the United States as well as the Old World. Volpi proves that south-of-the-border literature ought not to be taken hostage by a rainstorm of butterflies and an army of clairvoyant prostitutes. Simon and Schuster is scheduled to release an English translation of the book early next year."

Jeffrey Pilcher, professor of history at The Citadel and author of *¡Que vivan los tamales!: Food and the Making of Mexican Identity* (New Mexico, 1998).

"Economists once praised the 'Mexican miracle' of rapid growth achieved through 'stabilizing development,' but the real miracle of the postrevolutionary era was maintaining political stability despite a wide gap between rich and poor. **Enrique C. Ochoa's** ***Feeding Mexico: The Political Uses of Food Since 1910*** (Scholarly Resources, 2000) shows how the ruling party constructed a welfare system that both subsidized industrialization and bought social peace. The book documents the political crises that undermined a program created by reform president Lázaro Cárdenas. Cárdenas intended the program to help small farmers compete in national markets, but it ballooned into a huge bureaucracy that supported big unions and large agribusiness. **Anne Rubenstein** explains another aspect of the PRI's seventy-one-year hegemony in ***Bad Language, Naked Ladies, and Other Threats to the Nation: A Political History of Comic Books in Mexico*** (Duke, 1998). Comics, Mexico's most widespread form of literature, emerged around the same time as the PRI, and Rubenstein attributes much of the party's longevity to its ability to turn social unrest over its policies into harmless culture wars over its censorship of comics."

JOHN PALATTELLA

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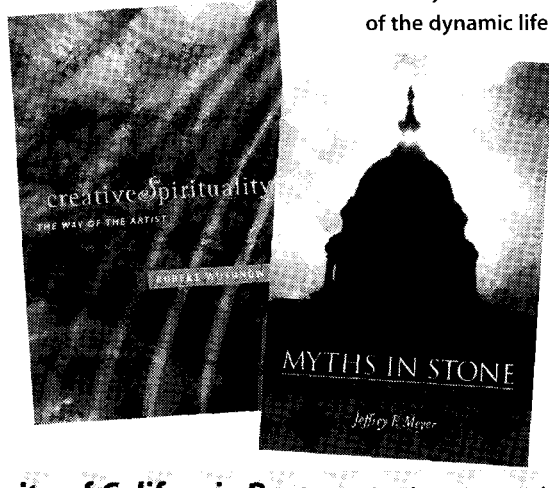

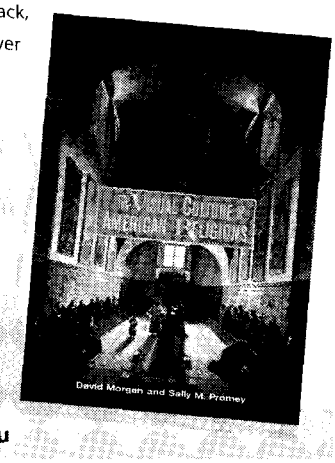

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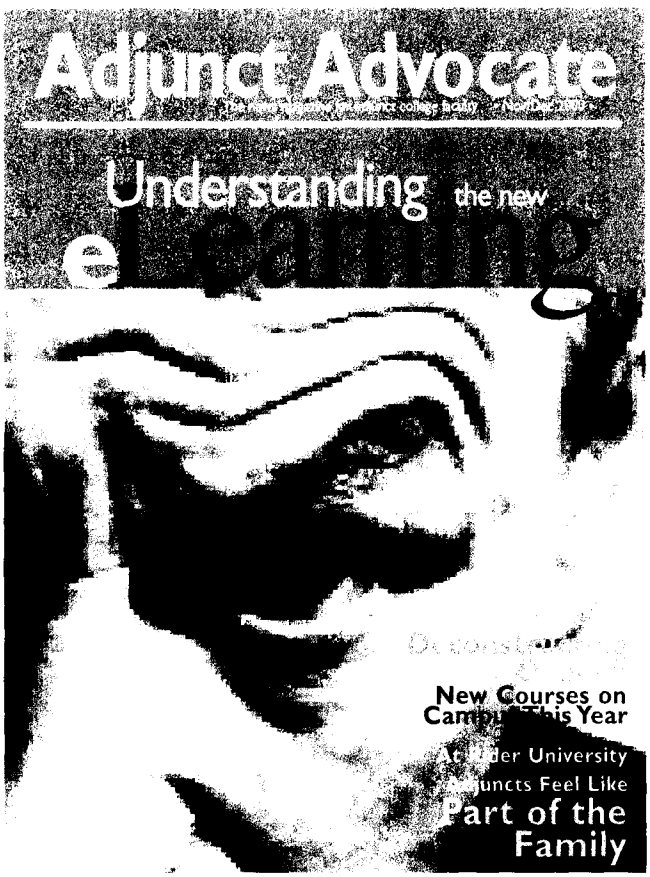

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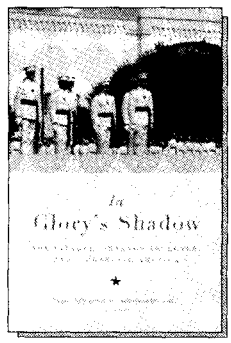

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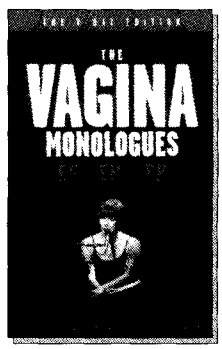

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POW! WHAM!
PERMISSION DENIED!

IN HIS 1995 TELL-ALL SHOWBIZ AUTOBIOGRAPHY, *Boy Wonder: My Life in Tights,* the actor Burt Ward, who played Robin in the 1960s TV show *Batman,* addressed the long-standing rumor that Batman and Robin are gay. While stridently proclaiming his own real-life heterosexuality (and boasting of his many sexual conquests, including a nine-way love-in with eight female groupies), Ward conceded the possibility of an amorous link between the fictional Batman and Robin: "A mature man, unmarried and rarely seen in the company of women, takes a naive teenage boy under his wing.... They share many secrets and spend long hours alone in remote areas.... Holy homophobia!"

Ward was neither the first nor the last to be intrigued by the dynamic duo's sex life. In 1954, the psychiatrist Fredric Wertham cited the "homoeroticism" of *Batman* as evidence that comics were unfit reading material for children. In recent years, queer theorists like Andy Medhurst, a lecturer in media at the University of Sussex in Britain, have turned Wertham's insult on its head by championing the caped crusader's role as a gay icon.

Yet scholars who venture into the sexual Batcave often hit a formidable roadblock: DC Comics, which owns the *Batman* copyright, appears reluctant to grant reprint permission to scholarly works that discuss Batman's sexual orientation. Chris York, a graduate student in American studies at Michigan State University, ran into permissions difficulties after his article "All in the Family: Homophobia and Batman Comics in the 1950s" was accepted by the *International Journal of Comic Art* in May 2000. York's article argues that the writers of *Batman* comics responded to Wertham's accusation of "homoeroticism" by providing Batman with more female companions, such as Batgirl, Batwoman, and numerous girlfriends. York concludes: Surrounded by his "nuclear Bat-family," the "dark, deviant" vigilante of the early 1940s was transformed into a genial, problem-solving father figure. In support of his argument, York provides a detailed interpretation of four panels that appeared in various *Batman* comics in the 1950s.

When he wrote to DC Comics requesting permission to reprint these panels, York stressed that his article "in no way suggests that Batman and Robin were homosexuals." Despite the disclaimer, Barbara Rich, the manager of legal affairs and rights and permissions at DC, rejected York's request without reading the article.

John Lent, the editor of the *International Journal of Comic Art,* feels that DC's decision not to grant permission to York was "corporate censorship" motivated in part by "homophobia." Lent briefly considered running the art under provisions in the federal copyright law that allow for fair use of short quotations for scholarly purposes. But a legal challenge from DC was too much for Lent to risk. As York notes, copyright

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Scholars who venture into the sexual Batcave often hit a formidable roadblock: DC Comics.

disputes are "tough for small journals because they don't have the capital to fight lawsuits."

On the pages of his journal where the *Batman* art was supposed to run, Lent printed a large box of text that reads, "DC Comics would not grant permission for the use of this four-panel series." Lent says he was motivated in part by his desire to call attention to the fact that copyright holders such as DC Comics often use the threat of lawsuits to hamper the publication of unauthorized interpretations of their characters.

DC's Barbara Rich insists that "censorship was not the motive" for rejecting York's request but declines to comment further. In a statement to *Lingua Franca* from DC publicity manager Peggy Burns, DC offers "no comment on any particular article or situation." DC spokesperson Patty Jeres, speaking to *The Comics Journal*, an industry magazine that reported on the York case in November 2000, suggested that Lent and York could have made a stronger effort to appeal the rejection. (Lent and York maintain that nothing in Rich's brief letter hinted that the rejection could have been appealed.)

DC's rejection of York's request fits an apparent pattern of resistance to gay interpretations of *Batman*. In 1991, Routledge published an anthology titled *The Many Lives of the Batman*, which includes an article on Batman as a camp icon. Permission to reprint art was denied. In 1993, *The New Republic* ran a satiric cover cartoon in which Batman and Robin exchange terms of endearment. DC immediately asked for, and received, an apology. In 2000, Continuum Books requested the use of comic art to illustrate communications scholar Will Brooker's *Batman Unmasked: Analyzing a Cultural Icon*, which examines Wertham's accusations of homosexuality and their afterlife. DC agreed to grant permission, but only if Continuum changed the title to *Analyzing a Cultural Icon: Batman Unmasked*. Continuum refused to make the change and had to publish Brooker's book without art.

Does DC Comics deny reprint permission to scholarly works, irrespective of the interpretive angle? That seems unlikely. According to DC's Peggy Burns, "There have been literally hundreds of permissions granted by DC for inclusion of material we've published in scholarly works ranging from articles to books." So why reject the requests from York, Brooker, and Routledge?

The University of Calgary professor Bart Beaty, co-editor of the forthcoming *International Encyclopedia of Comics* (Routledge), believes that York's article was "clearly" a victim of "censorship" and "homophobia." He also feels that the difficulty of securing copyright permission is "absolutely the most serious problem facing comic-book scholarship." For now, many comic-book scholars find themselves in the difficult position of writing about a visual medium without the aid of art. "Writing about comics by only quoting the written text," says Beaty, "is like writing about Shakespeare by only quoting the stage directions."

JEET HEER

MARGIN MANIA

IN A EULOGY TO ROLAND BARTHES, SUSAN Sontag mentioned a lecture the taxonomy-loving critic once gave in Paris, dividing studious people into two categories: those who underline when they read, and those who don't. Barthes, Sontag recalled, "belonged to the second group: he never made a mark in the book about which he planned to write but transcribed key excerpts onto cards." As for Sontag, the woman of letters reportedly falls into the other camp. A newspaper account of her library (one of the great unseen sights of New York) describes the books as "filleted"—her running commentary jotted here and there, with relevant clippings tucked between the pages.

Readers of the Sontag variety will appreciate the extremes of annotation that H.J. Jackson reports in *Marginalia: Readers Writing in Books* (Yale). A professor of English at the University of Toronto, Jackson has examined three hundred years' worth of scribblings in the blank spaces of books, from initials penned inside the cover (marking ownership) to complex systems of annotation (transforming the volume into a sort of personalized fetish object). Though marking is often considered a bad habit—a violation of the book that makes it an eyesore to future readers—literary scholars have long treasured choice bits of marginalia. Editions of William Blake's work, for example, occasionally reprint selections of the remarks he left in his copies of books by Joshua Reynolds and Emanuel Swedenborg. "Finding a volume cataloged as having 'copious' annotation quickens my pulse," Jackson confesses.

Was Jackson led to this curious passion for marginalia through her own indulgence in the habit? "Oh no," she hastens to answer, "I was very well brought up! No, it was Coleridge who converted

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me." The English poet's legendary appetite for reading quaint and curious volumes of forgotten lore was exceeded only by his impulse to write in them. Since 1983, Jackson has been working on the Bollingen edition of *The Collected Works of Samuel Taylor Coleridge*, editing his polymathic marginalia (some eight thousand jottings) for posterity. Along the way, she began to wonder about the history of annotation—and about the practice's taboo status. While presenting lectures based on her research, Jackson noticed that the topic of marginalia elicited a kind of shamefaced fascination. "People get a bit confessional when they talk about writing in books," she reports. "They think of what they're doing as a mortal sin. They've internalized a prohibition which really doesn't make much sense, but it's powerful." (Jackson herself now breaks the taboo, without indulging too wildly: She makes reference notes inside the cover of a book but leaves the printed pages unmarked.)

One might assume that people started writing in the margins of books only fairly recently, after the publishing industry made printed matter cheap and plentiful. But Jackson shows that this is not so. Writings by Erasmus make clear that a university student in the sixteenth century would have been expected to learn how to create a proper set of cross-references in the margins of his books. By the eighteenth century—when the purchase of a new book included making arrangements to have the sheets bound—readers would often ask the bookseller to interleave blank pages. Reference works were sometimes printed with pages designated for the reader's annotation—just to accommodate the predictable public demand.

ARCHIVE PHOTOS

Coleridge and the Romantics marked the pinnacle of enthusiasm for marginalia, at least in the English-speaking world. As Jackson shows, Coleridge deliberately cultivated the legend of his annotative acumen. Friends lent him books in hopes that he would make interesting remarks next to the text as he read. In 1819, he even published a selection of his "marginalia" on Sir Thomas Browne in a magazine—using that then-obscure word, and thereby elevating annotation to a literary genre. It was not until the 1850s that the habit's reputation began to take a turn for the worse, thanks to the growth of lending libraries, which imposed fines on borrowers who defaced books.

While the history of marginalia is complex and multilayered, the social psychology of the bibliographic impulse is even more so. Just whom is the scribbler addressing? Frequently, Jackson notes, it is the author. The effect is a kind of short-circuited dialogue—often of a rather aggressive quality. For example, *Marginalia* cites the scorched-earth commentary scrawled by a clergyman on a pamphlet written by an eighteenth-century freethinker: In one heavily annotated sentence, each clause is met by a laborious rebuttal. In the case of a lengthy poem about the execution of Marie Antoinette, in which the final stanza declares, "The awful moment's nigh, / That ends thy tortures," the reader, a testy Whig, replies: "By ending this Book you end mine." And then there is Mark Twain's judgment in the margins of a translation of Tacitus: "This book's English is the rottenest that was ever puked upon paper."

Marginalia have also been produced for the benefit of other readers. When a copy of Alexander Pope's satiric poem *The Dunciad* made the rounds of Pope's social circle, Pope's friends appended their own digs at the literary figures he had lampooned in the poem. There is also the curious phenomenon of "cod" (or hoaxed) marginalia: The English humorist Max Beerbohm, for instance, once fabricated Queen Victoria's reading notes, and Jackson cites rumors that "circulate among graduate students of false or obscene notes signed with the initials of notoriously pedantic professors."

Jackson describes *Marginalia* as an introductory anthology, the "greatest hits" of the genre. It has considerable potential crossover appeal for nonacademic bibliomaniacs—much like Princeton historian Anthony Grafton's *The Footnote* (1997), another volume about para-texts. But there is also a bit of scholarly polemic inscribed between the lines of *Marginalia*. Jackson's analysis offers a challenge within the domain of study called history of the book. One group of scholars in the field has proposed investigating how audiences have interacted with printed matter across the ages. "There is a lot of debate about whether 'history of reading' can even be done," Jackson says. "It's a contentious area of research." *Marginalia* suggests that an enormous body of primary documentation concerning reader response lies at hand.

Whether or not her study heralds a new direction in cultural historiography, Jackson makes a strong argument for marginalia as the most tangible reminders of how deeply books leave their imprint on us (and vice versa). "A marked or annotated book," she writes, "traces the development of the reader's self-definition in and by relation to the text. Perhaps all readers experience this process; annotators keep a log."

SCOTT McLEMEE

Literary scholars have long treasured choice bits of marginalia.

SAMUEL TAYLOR COLERIDGE

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EVERYBODY PLAYS THE FOOL

Throughout history, jesters have had the freedom to alert isolated kings, sultans, even popes of their "moral halitosis."

IN MAY 1994, READERS OF THE SWISS NEWSPAPER *Neue Zürcher Zeitung* were confronted with a curious full-page advertisement: a petition calling for the establishment of a new governmental post, court jester to the Swiss parliament. The sponsor was looking for a merry anti-bureaucrat who could "stand between the people and the politicians and between various political camps, so that politics will become tolerable again."

Such is the abiding hunger for jesters, argues Beatrice Otto in *Fools Are Everywhere* (Chicago), her lively survey of the state-sponsored mischief maker and his irrepressible, life-giving spirit. To English-language readers, the court jester may seem a suspiciously Eurocentric, even Bardocentric, character: Think of Lear's fool or Feste from *Twelfth Night*, or such real-life fools as the dwarf Archie Armstrong, banished by James I for overstepping his license and later given a pension by Charles I. But in her richly detailed chapters (and an appendix listing 334 named fools in the historical record), Otto makes a vigorous case for the jester's ubiquity—from the ancient Chinese court to the Elizabethan stage to the modern corporate suite—and for the consistency of his characteristics: attachment to a particular ruler; physical or mental deformity (real or pretended); concern for the general welfare of the people; and the freedom to alert isolated kings, emperors, sultans, even popes of their "moral halitosis." "There are two things about your job I couldn't handle," the jester Marais quipped to his patron, Louis XIII of France. "Eating alone and shitting in public."

Otto's passion for jesters began when, as an undergraduate studying modern Chinese at the University of Leeds, she stumbled onto a translation of stories about ancient Chinese jesters. Several years later, as a graduate student at Edinburgh—she describes her field simply as "jesters"—Otto embarked on a cross-cultural inquiry into French, British, and Chinese fools. That endeavor quickly mushroomed into a fully globalized pursuit of the jester, catapulting her into "a head-on collision" with her academic superiors ("a farce that will be chronicled elsewhere," she writes in her acknowledgments). Her dissertation was accepted only on appeal, after one member of a skeptical committee warned

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that her theme-based, international approach risked turning her work into a "period piece."

Otto freely acknowledges that she doesn't have expertise in Kurdish, Aztec, Hopi, or Maori culture, to name a few areas where she has found jesters (and jestresses). But "I'm comfortable with the jester where he appears. I understand him," she says. Where modern academic observers don't see fools, Otto suggests they need to look harder. She pushes the notion, much disputed among Sanskrit scholars, that the *vidusakas* of Indian drama, humorous stock characters often with stunted physiques, suggest the presence of actual court jesters. And though there is little available evidence for jesters in Japan, she writes, "there is apparently a wealth of material from the Edo period...that is allegedly impenetrable even to Japanese scholars."

For Otto, who is now a freelance corporate consultant, *Fools Are Everywhere* may be the foundation stone for a globe-spanning jester empire. A Web site, jesterlife.com, scheduled to be launched on April Fools' Day, will both promote the book and evangelize for the jestering spirit, partly by means of the limericks Otto says she writes "by the yard." She also plans a series of jester-centric children's books, a scholarly book on humor in China's Middle Kingdom, and another, lavishly illustrated book on fools in art, architecture, and advertising. (Speed-readers may notice that the jester icon in the upper-right-hand corner of the pages of *Fools Are Everywhere* appears to juggle when the book is flipped through quickly.)

The Swiss rejesterfication campaign notwithstanding, do fools have a future in modern democratic societies? Capering creatures of royalism and absolutism, jesters would seem to have lost their monopoly on impudence in cultures where all citizens are free to laugh at their leaders as hard as they want. (Interestingly, in China, the society with both the richest historical tradition of jestering and a long history of authoritarian rule, people no longer immediately recognize the word or general concept of "jester," although educated Chinese are well acquainted with celebrated historical fools like Newly Polished Mirror and the dwarf Twisty Pole.)

True, modern democracy has given rise to a few wisely wisecracking characters who can be seen as unofficial court jesters. The nineteenth-century American circus clown Dan Rice, who popularized the red-white-and-blue suit later adopted by Uncle Sam, regularly played the fool to no less a straight man than Abraham Lincoln. Will Rogers mocked pompous, pork-barreling congressmen and gave folksy, humorous advice to both Woodrow Wilson and F.D.R., who recalled Rogers's commentary on European affairs as "more accurate than any other I had heard." But today, Otto observes sadly, the jester's functions have been "compartmentalized." Instead of a single scampering figure, we have clowns, mental patients, cartoonists, comedians, and journalists.

Although George W. Bush (a man often mocked as the clown of his own administration) is unlikely to invite David Letterman to take up residence in the White House, there may still be hope for the free world—or at least the free market. Otto sees the business world, with its talk of "flattened hierarchies" and its out-of-touch top-down rule, as a likelier place for a jester renaissance. Prince Alwaleed bin Talal bin Abdulaziz al Saud, the principal shareholder in Disneyland Paris, travels with an entourage that includes two bedouin men who tell jokes in the style of traditional jesters. Several years ago, British Airways appointed an official corporate jester, Paul Birch, who described his job as "to swan around, stick my nose in other people's business, and be a pain in the arse." The company enjoyed a tide of favorable publicity, but a new CEO gave Birch the boot (a less brutal firing, certainly, than that meted out to the Qing dynasty stage jester who was beaten to death by an affronted emperor).

Several years ago, British Airways appointed an official corporate jester.

"The demise of the court jester as a distinct profession is perhaps complete, but the need for him is not," Otto concludes. Nowadays, she speculates, people are unnerved by the kind of disruptions of formality he represents. "Could this be the result of our having banished jesters, both natural and artificial—or the reason for it?" she asks. "Are we, in this regard at least, less free?" But on further reflection, Otto stops short of calling for a full-scale jester revival. "If I can encourage the development (or protection) of his qualities—robustness, integrity, kindliness, irreverence, lightness of touch, quickness of wit, flexibility, and a sense of joy—then I'll have achieved something."

JENNIFER SCHUESSLER

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CLOTHES ENCOUNTERS

ACTIVISTS AND ECONOMISTS CLASH OVER SWEATSHOPS

BY **LIZA FEATHERSTONE** AND **DOUG HENWOOD**

"Are you a Zapatista?" asked Jagdish Bhagwati, one of the world's preeminent trade economists, of a young protester wearing a mask. The sixty-six-year-old Columbia professor and free-trade advocate laughs as he recounts his adventures amid the steelworkers, topless lesbians, and papier-mâché puppets at the protests against the World Trade Organization (WTO) in Seattle. Recalling the demonstrator's response, he is still a bit puzzled. "She said, 'No, I'm just an anarchist.'" He giggles. "I didn't know if she'd read Bakunin!"

"I wanted to see where they were coming from," Bhagwati says of his foray into the November 1999 street protest. "I talked to a lot of kids, and some of the turtles as well, and asked, 'What's agitating you?'" (Some protesters were dressed as turtles to dramatize a WTO ruling that failed to protect turtles from commercial fishnets.) To his dismay, "They just assumed that the WTO was anti-turtle."

Whether or not the WTO is anti-turtle, the argument between Bhagwati and the protesters is really about a larger question: Does global trade policy place corporate profit before human and environmental welfare? Most of the demonstrators in Seattle would claim that it does, whereas most economists would claim with equal fervor that it doesn't.

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"I came back from Seattle thinking that the voice of economists was not very audible in the public space," Bhagwati says. "Economists had opted out, partly out of indifference and partly out of contempt for [anticorporate] voices." Despite his enthusiasm for free trade, Bhagwati does not share this contempt. "Some of them rant and rave," he laughs, "but I have a slightly indulgent attitude, because they tend to raise questions from a very different perspective. So then I called up a lot of [economists] and said, 'Why don't we engage?'"

As a first step, Bhagwati and his allies decided to take on student anti-sweatshop activists. Their movement undoubtedly comprises the most vigorous strain of the youthful dissent that Bhagwati encountered in Seattle; indeed, it has produced the strongest surge of student activism since the anti-apartheid campaign of the 1980s. But surprisingly, though the campus debate over sweatshops is concerned with economic issues, economic analysis has barely played any part in the drama, which has been more about morality and public relations. All that may be about to change.

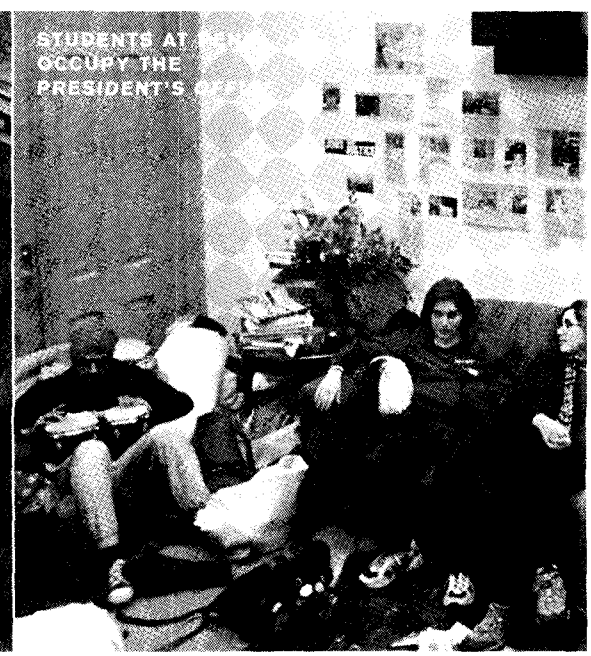
THE APPEAL for better labor practices in the garment industry did not begin as a campus movement. Throughout the 1990s, labor, left-wing, and religious groups deplored the low wages and harsh conditions prevalent in garment factories throughout the world. Workers in Indonesia and Vietnam, these activists pointed out, often toiled for thirteen hours at a stretch for around twenty cents an hour and in facilities that reeked of toxic fumes. The most prominent anti-sweatshop advocates belonged to the National Labor Committee, whose fiery director, Charles Kernaghan, famously made talk-show personality Kathie Lee Gifford cry on television by revealing that Honduran children worked fifteen hours a day sewing the clothes that bore her label.

Though activists tend to direct their energies at the best-known brands—like Nike, Kathie Lee, Gap, and Reebok—such conditions pervade the apparel industry. (Activists use the word "sweatshops"; companies and most economists reject it as inaccurate and inflammatory.) Garment workers have always been vulnerable to exploitation, partly because the softness of fabric and the complexity of patterns don't allow for easy mechanization. With the decline of international transportation and communication costs since the 1960s, garment manufacturers have increasingly elected to avoid the relatively high wages of U.S. labor by moving most of their factories overseas, often to countries that offer workers little protection. The industry has also become more ruthlessly competitive as increasingly volatile consumer tastes dictate quicker production cycles. In an attempt to keep clothing prices low enough to seduce American teenagers, manufacturers pay the Chinese and Haitian teenagers who make the clothes less than thirty cents an hour.

Sweatshops are a global issue, but for student activists an obvious target lies close at hand: the hats, sweatshirts, and other items emblazoned with university logos. After a summer internship with the United Needle and Textile Workers Union (UNITE) in 1997, Tico Almeida, then an undergraduate at Duke University, pressed Duke to pass a code of conduct that would require manufacturers of its apparel to maintain safe, independently monitored workplaces in which workers were free to organize. Fellow Duke students were enthusiastic and began lobbying administrators aggressively. They succeeded in getting Duke to enact their code, and the victory inspired students on other campuses to begin similar campaigns.

The next year, Duke students occupied their president's office, demanding that the university go a step further by requiring full disclosure of licensees' factory locations. After a sit-in that lasted thirty-one hours, Duke's president, Nan Keohane, gave in. Similar occupations won students full disclosure at Georgetown, Wisconsin, Michigan, and Chapel Hill. In the spring of 1998, students founded the United Students Against Sweatshops (USAS), a network of campus anti-sweatshop groups, which now has an office in Washington, D.C., and two full-time staff members.

With these successes behind it, the student movement turned to other questions. Codes of conduct were just pieces of paper, the activists realized, unless they were enforced by a credible body. Administrators pointed to the Fair Labor Association (FLA), an industry-backed monitoring group founded by the Clinton administration in 1996, but students scorned it as favoring corporate interests. In fact, several unions and a religious group had resigned from the FLA in 1998, protesting that it relied on voluntary enforcement and set no standard for a living wage. Last year, when administrators at many universities, under pressure from garment contractors, insisted on staying with the FLA, students occupied buildings on more than a dozen campuses, including the Universities of Michigan, Wisconsin, Oregon, Pennsylvania, Iowa, and Kentucky, as well as SUNY Albany, Tulane, Purdue, and Macalester. After the tumult subsided, more than fifty institutions had switched



BHAGWATI: COLUMBIA UNIVERSITY

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to a new monitoring organization founded by students—the Worker Rights Consortium (WRC), which has close ties to local and international labor and human rights organizations. The WRC's membership roster still lags well behind the FLA's 148. (Neither organization has monitored any factories yet.)

The founding of the WRC, which focuses on investigating worker complaints rather than certifying specific companies or factories as "sweat-free," reflects the student movement's increasing emphasis on direct contact with garment workers. Students have visited factories and established relationships with workers throughout Central America and Asia. Critics ranging from the Bangladeshi-born feminist sociologist Naila Kabeer to mainstream pundits like Thomas Friedman have derided First World anti-sweatshop crusades as protectionist, and it's true that a few (though by no means all) of the unions that back the student anti-sweatshop movement can be exactly that. But USAS, which receives funding from the AFL-CIO, has been careful to emphasize that it does not favor banning imports, nor does it call for boycotts. Most apparel workers, USAS activists realize, need their jobs. The goal of the movement is to improve workers' pay and working conditions at offshore factories, not to force universities to take their business elsewhere.

USAS now has chapters on at least 175 campuses, from large state universities to elite East Coast schools to small religious colleges. And although most activists are white and affluent, they are politically diverse. Some, like Bhagwati's masked friend in Seattle, embrace anarchism; many passionately resist any form of hierarchy within their organizations. One Penn freshman who participated in a February 2000 sit-in earnestly described himself as a "capitalist"; others, who range from Marxists to Students for a Democratic Society–style radical democrats, denounce capitalism with equal earnestness; still others are liberals with no particular visionary blueprint for the world. Such differences have generally been tolerated, but tensions among these factions broke out at USAS's August 2000 conference in Eugene, Oregon, as activists fought bitterly, even tearfully, over whether the group should create a more centralized, formalized structure or retain its decentralized, loose character.

THE MEMBERS of USAS take their cues more from the labor movement than from the academic left, but the students do have faculty allies, most notably in sociology and cultural studies. The sociologists Edna Bonacich of UC-Riverside and Richard Appelbaum of UC-Santa Barbara, co-authors of *Behind the Label: Inequality in the Los Angeles Apparel Industry* (California, 2000), currently serve on the WRC's advisory council, which assists the students with fund-raising and problem solving. Another sociologist, Peter Dreier, director of Occidental College's Urban & Environmental Policy Program, advises student activists and has taught a seminar on the sweatshop issue. With Occidental activists, Dreier pressed administrators to commission an Occidental T-shirt made by UNITE members in Pennsylvania. Though some activists have criticized this strategy as protectionist, Dreier believes that the union label provides the best available insurance that apparel is "sweat-free."

For all their practical support, many of the professors who advise the students say it's difficult to offer activists much theoretical guidance. One can decry the fact that corporations freely exploit workers

SEATTLE PROTESTERS

UNITE PICKETS THE GAP

AP/WIDE WORLD PHOTOS (3)

THE ANTI-SWEATSHOP MOVEMENT HAS PRODUCED THE STRONGEST SURGE OF CAMPUS ACTIVISM SINCE THE ANTI-APARTHEID CAMPAIGN OF THE 1980S. NOW STUDENTS SEEK A FEW GOOD ECONOMISTS.

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and the environment, but these days even intellectuals are hard-pressed to come up with alternative ways to run the world. Some blame the waning of Marxism, whereas others, including Dreier, point to the intellectual dominance of high theory. Postmodernism has corrupted his younger colleagues, Dreier complains: "Politics is an entirely theoretical concern for them."

Though it's easy to caricature cultural studies scholars as hopelessly removed from the blood and, yes, sweat of everyday life, some have been quite active in the student movement—not least Andrew Ross, the director of American studies at New York University. Ross edited *No Sweat: Fashion, Free-Trade, and the Rights of Garment Workers* (Verso, 1997), a collection of essays on the garment industry based on a conference he'd organized called "Fashion Victims." Both book and conference brought together labor activists and cult studs to talk about the rag trade.

Creative and varied as their approaches have been, however, these professors have not been able to help the students sharpen their economic arguments. There's an obvious reason for this: As Dreier points out, none are economists.

BHAGWATI DENIES THAT THIRD WORLD APPAREL WORKERS ARE TRULY "EXPLOITED." ON THE CONTRARY, WORKERS IN POOR COUNTRIES GENERALLY FEEL "LUCKY" TO WORK FOR NIKE, HE SAYS.

THAT VACUUM looked inviting to Bhagwati. Noting that student voices were dominating the sweatshop debate, he saw an opportunity for defenders of free trade to intervene. He drafted a letter criticizing administrators for caving in to activist pressure, worked his Rolodex, and the Academic Consortium on International Trade (ACIT) was born. Bhagwati's draft was worked over by a steering committee that also included Robert Baldwin of Wisconsin, Alan Deardorff and Robert Stern of Michigan, Arvind Panagariya of Maryland, and T.N. Srinivasan of Yale. Of the six, Bhagwati is the most widely known to the general public, because he is a prolific writer of Op-Eds and letters to the editor in newspapers, including *The New York Times* and *The Financial Times*. But all six economists are widely published specialists in international trade, and all have consulted for governments around the world and for international institutions like the World Bank. In addition to its drafters, 246 signatories endorsed the ACIT letter, including the Nobel laureate Robert Lucas of Chicago and Harvard's Jeffrey Sachs. Campuses with active anti-sweatshop campaigns, such as Michigan and Wisconsin, were heavily represented among the signers.

"[W]e often encounter news reports," the professors wrote, "of sit-ins by groups of students in the offices of university/college administrators, after which decisions are often made without seeking the views of scholars in the social sciences, law, and humanities who have long discussed and researched the issues involved." The economists go on to argue that monitoring groups "seem to ignore the well-established fact that multinational corporations (MNCs) commonly pay their workers more on average in comparison to the prevailing market wage for similar workers employed elsewhere in the economy. In cases where subcontracting is involved, workers are generally paid no less than the prevailing market wage." In an interview, Bhagwati told us that the MNC wage premium makes it difficult to argue that Third World apparel workers are "exploited." On the contrary, he says, workers in poor countries feel "lucky" to get jobs with the likes of Nike. They see the work as a "ticket to slightly less impoverishment," he explains with characteristic ambivalence.

The ACIT letter further contends that if activists succeed in driving up wages, "the net result would be shifts in employment that will worsen the collective welfare of the very workers in poor countries who are supposed to be helped." In other words, increasing the cost of labor will reduce the demand for it, so although a few workers might win raises, enough will lose their jobs to make the population as a whole worse off.

During the drafting of the ACIT letter, Bhagwati demurred at the certainty of this last formulation; higher wages *could* result in layoffs, he says, but "economists are divided" on the likelihood of that happening. The minimum-wage controversy in the United States bears out his caution: For years, economists were certain that minimum-wage increases destroyed jobs, but an empirical study by economists David Card and Alan Krueger, of UC-Berkeley and Princeton respectively, concluded that they didn't, and uncertainty replaced consensus within the profession. But Bhagwati's objection was overruled by the other ACIT drafters, who kept the stronger language in the letter.

Perhaps ACIT's most significant assertion is that MNCs pay better than local firms. The economists are two business school scholars, Ann Harrison of Columbia and Linda Lim of Michigan. Harrison wrote a 1996 paper with Brian Aitken of the International Monetary Fund and Robert Lipsey of the National Bureau of Economic Research that examined wages in the United States, Mexico, and Venezuela. The study concluded that foreign-owned firms pay about 30 percent better than domestic ones, though a significant part of that premium can be explained by the size and nature of MNC plants in countries where few local businesses are comparable. As for Lim, she visited two Nike factories last summer, one in Vietnam and one in Indonesia. In a memo she wrote on her return, Lim noted: "According to the World Bank, the average annual minimum wage for 1995–99 in Vietnam was $134 and the workers at Nike's supplier factory earned $670; in Indonesia the minimum wage was $241 and the workers at the Nike supplier factory earned $720." She cited other studies of Vietnam and Indonesia showing similar results.

Whether or not administrators will be swayed by ACIT's letter remains to be seen. This fall, as students poured their energy into launching the WRC, their battles with administrators temporarily died down. Now they are heating up again, thanks to a strike in a Nike plant in Mexico;

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ACIT, with its prestigious list of signatories, could become a major player. Administrators at many institutions have reviewed the economists' letter and acknowledged its concerns. At the University of Michigan, president Lee Bollinger has since appointed founding ACIT member Alan Deardorff to the committee that advises administrators on the sweatshop issue.

THE SIGNERS of the ACIT letter, like almost all economists, are passionately devoted to free trade. They believe that globalization promises the greatest good for the greatest number. And though they concede that there will be losers—firms in previously protected industries, for example, and less-skilled workers in the richer countries—the economists insist that most people on balance will gain. The opportunity to export to rich countries without tariffs or other fetters offers poorer countries a chance for upward mobility, the economists contend, and consumers everywhere are better served with a wider selection of products at lower prices. Deardorff and Stern have posted a paper to this effect on the ACIT Web site (www.spp.umich.edu/rsie/acit). In it, they profess to be well aware that trade liberalization can hurt people. They write, "Trade theory does not in any way dismiss these costs as unimportant or even as smaller than other gains. Economists therefore usually argue that movements toward freer trade should be somewhat gradual, so that these adjustment costs can at least to some extent be accommodated within the normal ups and downs of markets."

These views are so typical among economists that the ACIT letter aroused hardly a peep of dissension among the signers' colleagues. As a field, economics has become increasingly hostile to unorthodox opinion in recent years, and virtually no seriously left-of-center economist has been hired by a major department in more than two decades. Bhagwati deplores this narrowing of the discipline. He worries that economists are "corrupted" by consulting contracts, seats on corporate boards, and joint appointments with business schools—all of which require professors to be "acceptable to business." The more economists depend on corporate connections, "the more you will tend to be prudent.... You can't really take far-out positions the way we used to as professors."

Because of his reputation and his eager promotion of free trade, Bhagwati acknowledges that he can pass as orthodox. However, he says, if he were still working on inequality, as he did in the 1960s, well, "forget it." Still, the Columbia economist has enough latitude to express a few unorthodox views—for instance, that Ralph Nader has been "very influential" on his understanding of how corporate power constrains politics. Bhagwati cites the case of the expert group set up under the WTO to judge whether food-safety regulations are scientifically valid or mere protectionist ruses. Nader and his allies pointed out that almost all the experts were once in the employ of agribusiness—the kind of thing, Bhagwati notes, that "we economists don't think about." For a few moments last fall, he even toyed with sending Nader's presidential campaign a thousand dollars.

Bhagwati's positions on labor are somewhat idiosyncratic as well: He favors, for example, stronger U.S. government regulation of the activities of its multinationals abroad; and though he does support keeping labor issues out of trade treaties, he also advocates that a strengthened International Labor Organization play a greater role in setting global labor standards. This is not typical Chicago-school free trade.

Still, Bhagwati's quirks aside, there is a dearth of progressive economists. As a result, the student anti-sweatshop activists are so hungry for an intellectually substantial response to ACIT that some have taken matters into their own hands, writing undergraduate theses they hope will serve as ammunition. But other students, along with some sociologist allies, have looked further afield, casting about in search of a few good economists.

GARMENT WORKERS IN VIETNAM (LEFT) AND HONG KONG (RIGHT)

AP/WIDE WORLD PHOTOS (2)

THEY FOUND one in Robert Pollin, a University of Massachusetts at Amherst economist and the co-author with Stephanie Luce of *The Living Wage: Building a Fair Economy* (New Press, 1998). Pollin is now working on a paper that examines the ACIT claims, and together with James K. Galbraith of the University of Texas, he has written a response to the ACIT letter that will be signed by progressive luminaries.

Pollin first encountered the anti-sweatshop activists in 1999, when students at the University of Wisconsin at Madison invited him to a meeting with the administration convened as part of a settlement package following their sit-in. Pollin's work on living-wage ordinances, which require

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local governments to do business only with firms that pay their employees more than a specified hourly minimum, had caught the students' attention. Such initiatives are generally opposed by business interests, who—like the ACIT economists—raise the specter of job loss as a bad consequence of the measures' good intentions. Scrutinizing the numbers, Pollin found that both employers and municipal budgets could painlessly withstand a higher-wage bill.

Pollin has since conducted similar studies on sweatshops. Though he hasn't found much good data to work with, his preliminary findings are very similar to his living-wage conclusions: There's plenty of room for substantial wage increases for Third World apparel workers. The best numbers Pollin could find were for Mexico, where wages are higher than those in Asia. A man's casual shirt retailing for $32 in the United States costs $4.74 to produce in Mexico. Of that amount, $0.52 goes to production workers and another $0.52 to supervisors. The retail price, then, is almost seven times the total cost of production and more than thirty times the labor cost alone. You could double the production workers' wage, Pollin argues, and hardly anyone but the workers would be able to tell the difference.

What about the claim that MNCs pay more than local firms? There is plenty of academic ammunition the students might muster to refute the ACIT letter. The Aitken, Harrison, and Lipsey paper focused on Mexico, Venezuela, and the United States. But these are two moderately industrialized, middle-income countries and one highly industrialized, very rich country. Are they comparable with lightly industrialized, poor countries in Asia? As for the Lim study, it draws on anecdotal evidence from Nike plants in only two countries. Even taken together, the two studies form nothing like a systematic wage survey, without which it is dangerous to generalize, given the immense variations in relative pay around the world.

Jeffrey Ballinger, a prominent activist who has interviewed thousands of workers, points out the difficulty of gathering reliable wage data, given government and corporate obstruction of systematic wage surveys. He also questions Lim's focus on annual wages because those figures can include wages for as many as ninety hours of overtime a month.

In any event, mainstream economists may not be asking the only relevant questions. Jeffrey Winters, a Northwestern University professor of political economy who specializes in Southeast Asia, demands, "Should American students be any less outraged just because Nike positions itself slightly higher than some of the exceptionally bad local Indonesian or Vietnamese producers?" Jobs with MNCs "only seem good because prevailing conditions are so horrible." With unemployment and underemployment rates around 50 percent, "Indonesians would line up outside a slave plantation if they could be sure they got regular food and a roof over their heads," says Winters.

Winters suggests using metrics of the sort that most economists regard as otherworldly: "How do wages compare with those of CEOs and celebrity endorsers? What do comparable workers in nonauthoritarian countries where unions are permitted get for comparable work, and under what conditions do they labor? These things matter, even if the Nikes of the world shun these places because they can go to more oppressive locations where nuisances like unions are suppressed." The question MNCs should ask themselves is, he says, "'Can the workers actually live on the wages they earn?' not, 'Is this job better than prostitution, slavery, or starvation?'" The bottom line, Winters concludes, is that "Nike does not pay a living wage and could easily afford to." A company the size of Nike doesn't have to do so on market grounds, but "that's what unions and organizing and protests by students and consumers are all about—it's about injecting very real nonmarket factors into the equation" to maintain "some semblance of humanity."

Pollin concurs. Conceding that MNCs might pay higher wages than local firms, he argues that the real issue is "conditions for all workers." He adds: "The aim should be to change wage norms. We would then be focusing on U.S. companies, since that's where we have relatively greater leverage." More broadly, he explains, "The point of neoliberalism is profit-led growth, with workers getting the shaft. The anti-sweatshop movement is one way of challenging that. But the Linda Lims are quite clever to shift the issue to something else—namely, are conditions at Nike plants worse than at local plants? They know that for the most part they probably are not worse, except maybe with subcontractors. So they can win that argument. But here's another question: Is profit-led growth, where a high fraction if not a huge majority of workers are earning subpoverty wages in bad working conditions, the only way that poor countries can grow? Is it reasonable to give some thought to what might be good for workers, and then also think about how countries might grow in ways that also address those concerns?"

ROBERT POLLIN

JAMES K. GALBRAITH AND STUDENT

POLLIN: U. OF MASSACHUSETTS AT AMHERST; GALBRAITH: MARSHA MILLER/U. OF TEXAS AT AUSTIN

LIM, who was trained as a Marxist economist, dismisses Winters's and Pollin's remarks as "very naive about economics...more rhetorical than anything." As for the anti-sweatshop movement, she describes it as "patronizing white-man's-burden stuff." She characterizes the activists' attitudes as, "'let's help these poor Third World women of color who are so victimized by us and are helpless without us,' et cetera—which is just not true and denies the benefit of these jobs to the women. These women aren't dumb,

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and they do have choices. The 'activists' just don't give enough credit to the women, and to their strength."

Pollin sees an important role for academics like himself to play in this new battle between activists and mainstream economists. "It's up to the Jeff Ballingers of the world to observe injustice and scream about it," he remarks. "It's then up to us economic sophisticates...to try to figure out whether their observations and conclusions make sense. In my view, the collapse of a serious analytic socialist left makes this job all the more difficult. The Bob Sterns and Linda Lims of the world don't get challenged enough by people who can talk their lingo. They know they can win an argument against undergraduates, so they are therefore certain they are right. We need to match their intellectual firepower with some of our own."

As the FLA and the WRC begin their work, there will no doubt be considerable debate about their methods and whether universities and apparel companies are responding properly to their findings. The students are positioning themselves both as a campus protest movement and as part of a new institution, the WRC. In both capacities, they will continue to face assaults from ACIT—and to respond in kind. Now that the progressive economists are getting involved, the fight promises to take on new intellectual dimensions.

Then again, the students could end up finding allies where they least expect them. Bhagwati himself confesses that, the ACIT letter notwithstanding, "I might change my mind about a living wage. And I might then go for WRC!"

When Bhagwati talks about the new generation of activists, he is strangely awestruck. "The kids really, when you see them, they are fierce," he marvels. "They're so fierce—they're carrying these placards, and they're all DOWN WITH CORPORATIONS! I'm putting the kids on the cover of my next book."

Liza Featherstone writes for *The Nation*, *The New York Times Book Review*, *Newsday*, and *The Washington Post Book World*. She is working on a book about the student movement, which Verso will publish this year. Doug Henwood edits the *Left Business Observer*, and is the author of *Wall Street* (1997) and *A New Economy?* (forthcoming), both from Verso.

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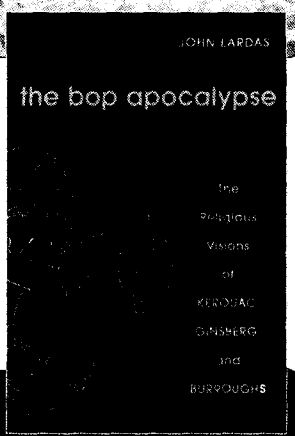

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KING BORIS AND ADOLF HITLER

Sofia's Choice

IN THE SERIES OF 1963 *NEW YORKER* articles that became *Eichmann in Jerusalem: A Report on the Banality of Evil,* Hannah Arendt exhaustively cataloged the injustices Adolf Hitler visited upon European Jews. She paused for only a moment on the curious case of Bulgaria, an Axis ally in the heart of the Balkans where politicians, clergymen, and regular citizens helped protect nearly fifty thousand Jews from the death camps. Wrote Arendt, "I know of no attempt to explain the conduct of the Bulgarian people, which is unique in the belt of mixed populations."

Arendt's book famously demonstrated that evil flourishes in the very ordinariness of life, abetted by conformity, obedience, and unreflective ambition. How, then, is goodness possible? The question, as it bears on wartime Bulgaria, would appear to have an empirical answer, based on the documented events of 1943. But in a country where historical inquiry was long suppressed, the rescue of the Jews has taken on the dubious luster of national mythology, to be fashioned and refashioned, often according to the prevailing political will.

During the Cold War years, the hardline Stalinist regime of Todor Zhivkov claimed that the Communist Party saved Bulgarian Jews from annihilation by organizing demonstrations in the Sofia streets. Others have since countered that it was wartime leader King Boris III who managed to shield the Jews from Nazi aggression. And for those uncomfortable with either option, the credit redounds instead to "the Bulgarian people," who, unable to stomach Nazi racial ideology, subverted the planned deportations. Ivaylo Ditchev, an anthropologist at Sofia University, mistrusts all three dominant versions of the rescue tale. He describes each as "but a form of excuse, a screen memory behind which a new national pride can be constructed in times of crisis."

The communist claim has been virtually discredited since the fall of Zhivkov in 1989. The debate over the king's role, however, came to a head just last summer, when a book by a Bulgarian-born Israeli Knesset member sparked controversy. *Beyond Hitler's Grasp: The Heroic Rescue of Bulgaria's Jews* (Adams Media, 1998), by Michael Bar-Zohar, incorporated nearly every popular account of the rescue into an elaborate potboiler rife with intrigue.

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Ultimately, Bar-Zohar claimed that the weak, equivocating King Boris was moved to noble action by widespread popular resistance, whereupon he stood firmly against deporting the Jews. This narrative irked those readers less inclined to credit the king. What caused an outcry, however, was Bar-Zohar's passing reference to a plaque in Israel that honored the monarch's role.

The memorial plaque had attracted little attention from the time Bulgarian Jewish émigrés donated it to the Jewish National Fund (JNF) in 1993. But last March, after reading *Beyond Hitler's Grasp,* the head of Macedonia's Jewish community exclaimed that "the erection of a monument in the land of our forefathers [to] a villain like Boris III" was simply "shocking." For even if Boris could be credited with the salvation of Bulgaria's Jews, no one disputes that he also agreed to ship to the death camps the 11,363 Jews of Bulgarian-occupied Macedonia and Thrace. To the Macedonians, the Bulgarian king was hardly worth honoring.

A group of Bulgarian politicians and intellectuals, led by the deputy speaker of the country's parliament, joined Macedonian Jews in petitioning Israel to have the plaque removed. On July 17, 2000, the JNF agreed to replace all the forest's memorial plaques with a single monument honoring "the Bulgarian people." But this success cost the Bulgarian deputy speaker his political career: Ten days later, he was ousted on charges of "harming national interests."

With Bulgaria's "red" coalition, successors of the communist ancien régime, battling the center-right "blue" coalition, which includes royalists, over the role of King Boris III, some observers worry that the rescue of Bulgaria's Jews risks becoming a crassly wielded political tool. Or worse: In a scathing essay on the monument controversy, Stefan Popov, chair of Sofia's Open Society Foundation, admonishes that Bulgarians will alienate Jews by showing them that "their tragic fate is used as a spice in our nationalist cuisine."

AMID THE furor, a new variation on Bulgaria's wartime story has begun to take shape—one with a protagonist but without a hero, one that has a moral but is not quite Chicken Soup for the Balkan Soul. At the center of this version is Dimitar Peshev, a previously unsung parliamentary deputy who shamed his superiors into reversing their anti-Jewish measures.

Peshev has recently emerged from obscurity thanks to the work of his biographer, Gabriele Nissim, an Italian journalist who published *The Man Who Stopped Hitler* in Bulgarian, Italian, and German in 1998. Most of Peshev's memoirs, written at the request of an archivist in 1968, had gathered dust in the Sofia State Archives for nearly thirty years; others were secreted away by Peshev's family, who released them for Nissim's study. Tzvetan Todorov, the Bulgarian-born theorist of literature and culture, includes portions of the memoirs in his forthcoming collection of primary documents titled *The Fragility of Goodness: Why Bulgaria's Jews Survived the Holocaust* (Princeton, May). According to Todorov, who says Nissim's work played a "primordial" role in his undertaking, Peshev's action was but one among many necessary for the rescue; without it, however, Bulgaria's Jews would have been incinerated in 1943.

In Todorov's account, no one plays a morally impeccable role, but many perform admirable acts of courage. The setting is miserable interwar Bulgaria, a rugged country with a Black Sea coast and approximately six million inhabitants (today the figure is closer to nine million), most of them peasants and the majority Slavs. Having been liberated from the Ottoman Empire by the Russian army in 1878, Bulgaria remained the most Russophile Balkan nation. It was also the only Balkan country left simmering after World War I, when the Trianon Treaty forced it to cede the territories of Macedonia to Yugoslavia, Dobrudja to Romania, and Thrace to Greece, as well as to pay heavy reparations to Yugoslavia. Unlike Romania or Hungary, Bulgaria had no indigenous fascist movement to speak of. There did exist a fringe group of violent anti-Semites, called Ratnik, but it had nothing like the support of Romania's Iron Guard or Hungary's Arrow Cross. And yet, racked internally by party fragmentation and the unremitting terrorism of a Macedonian irredentist organization, Bulgaria stumbled into Hitler's arms. To the north, Romania had joined the Axis; to the west and south, Hitler was preparing to invade Yugoslavia and Greece. Bulgaria could stand in his way and risk invasion itself, or it could cooperate and share in the spoils.

BULGARIANS SAVED THEIR COUNTRY'S JEWS FROM THE HOLOCAUST. BUT THEY CAN'T DECIDE WHO DESERVES THE CREDIT. BY **LAURA SECOR**

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Bulgaria joined the Axis in 1941. Provided that it would not be forced to fight Russians on the Soviet front, King Boris's government was willing to offer Hitler a base of operations in southeast Europe. In return, Hitler gave Bulgaria the region of Dobrudja outright. Macedonia and Thrace still belonged to the Reich, but Bulgarian soldiers performed garrison duties in the coveted territories, relieving German soldiers, who were needed on the Russian front. The territories, it was assumed, would be ceded to Bulgaria after the war. In the meantime, Macedonians and Thracians, who were technically citizens of the Reich, were encouraged to acquire Bulgarian citizenship voluntarily—unless they were Jewish, in which case they had no citizenship at all, for the Third Reich did not recognize them as its nationals.

Dimitar Peshev, the figure at the center of Nissim's and Todorov's books, had always considered himself a democrat. But concerned for Bulgaria's internal stability, he "followed the train of history," says Nissim, supporting the alliance with the Axis and the banning of all political parties. He soon became minister of justice in the authoritarian monarchy, and later, vice chairman of the wartime parliament, which had extremely limited powers. Of the parliament's 160 deputies, 115, including Peshev, supported the Nazi-allied government. (The remaining deputies had been affiliated with opposition parties before these were banned.) Bulgaria's prime minister, the former academician Bogdan Filov, was a Nazi loyalist and anti-Semite; its interior minister, Peter Gabrovski, was a member of Ratnik. Before Bulgaria even signed the Tripartite Pact, Filov had proposed a Law for the Defense of the Nation, based on Germany's Nuremberg laws. Jews were to be barred from the professions, dispossessed of many goods, forced to wear the yellow Star of David, oppressed by curfews, prohibited from certain neighborhoods, and subjected to other strictures. Jewish men would be mobilized for forced labor, mostly constructing roads.

Filov's initiative met considerable resistance. When it came before parliament in 1940, the unions of writers and lawyers, the Communist Party, and many prominent personalities deplored the discriminatory legislation. One petition admonished the parliament to remember Bulgaria's folk heroes who died fighting the Ottoman Turks and uttered with their last breaths, "Let us protect humanity and freedom!" Another declared, "When the Bulgarian people lose their sense of justice...they will lose their moral and spiritual uniqueness, their Slavic essence, their Bulgarian face." The Holy Synod of the Bulgarian Orthodox Church valiantly opposed all anti-Jewish measures, imploring Filov, "If there are dangers facing our nation, then the steps that are taken to counter them must target actions, not nationalities or religious groups; the proposed law, however, seems to have as its goal the special treatment of a Bulgarian national minority."

But the petitions fell on deaf ears. The parliamentary majority, including Peshev, accepted the legislation. According to his memoirs, Peshev believed that the law was merely intended to demonstrate Bulgaria's fealty to Nazi Germany—that it would never be implemented. He was wrong. Bulgaria's racial laws were indeed enforced, and they were among the harshest in Nazi Europe, writes Misha Glenny in *The Balkans: Nationalism, War, and the Great Powers, 1804–1999* (Viking, 2000). Yet by nearly all accounts, anti-Semitism had little purchase on the Bulgarian public. Some historians explain that Bulgarian Jews were largely assimilated into the working class. Thus, they might have seemed neither threateningly powerful, as well-to-do assimilated Jews were perceived to be in Germany and Hungary, nor visibly alien, like unassimilated Orthodox and Hasidic Jews in other parts of eastern Europe.

Whatever the reason, Bulgarian Jews wore the smallest Stars of David in Nazi Europe. Some non-Jews subverted the star's intent by treating the stigma as if it were a patriotic decoration, accosting random Jews on the streets with displays of sympathy and affection. Perturbed, German officials asked Interior Minister Gabrovski to mount an anti-Semitic exhibition in downtown Sofia in order to educate Bulgarians about the Jewish threat. Gabrovski, a committed anti-Semite, refused—the public, he explained, would not accept it.

THESE EARLY signs of resistance led Adolf Eichmann, the Nazi official in charge of deportations, to dispatch one of his most ruthless experts to Sofia: Theodor Dannecker, who had overseen the deportations from France in the summer of 1942. Berlin hoped to execute its sweep of Bulgaria with great speed; otherwise the Nazi authorities rightly feared it would not take place at all. But Dannecker's efforts were repeatedly thwarted. It was not possible, for instance, to arrange a council of Jewish leaders, as had been done elsewhere to manipulate Jewish compliance. As Arendt notes, "The Chief Rabbi of Sofia was unavailable, having been hidden by Metropolitan Stefan of Sofia, who had declared publicly that 'God had determined the Jewish fate, and men had no

NICOLA LOCCI AND DANIELA KORPIAK

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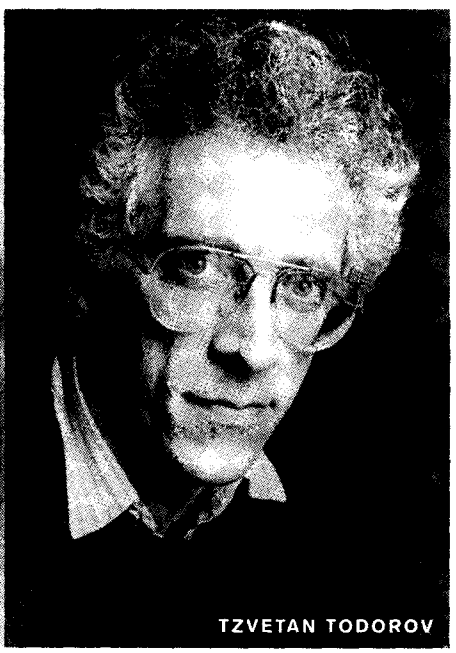
right to torture Jews, and to persecute them'—which was considerably more than the Vatican had ever done."

Nonetheless, Filov did arrange a Commissariat on Jewish Affairs, headed by Alexander Belev, an anti-Semitic young lawyer and member of Ratnik. It was in the utmost secrecy that Belev signed an agreement with Dannecker ordering the initial deportation of twenty thousand Jews to the Polish death camps. Of that number, about twelve thousand would come from Macedonia and Thrace; the remaining eight thousand would make

DIMITAR PESHEV

KING BORIS AND METROPOLITAN STEFAN



TZVETAN TODOROV

TODOROV'S NEW BOOK SUGGESTS THAT NEITHER THE KING NOR THE COMMUNISTS SAVED THE JEWS. RATHER, A FRAGILE CHAIN OF EVENTS AND A FORGOTTEN PARLIAMENTARY DEPUTY SHARE THE SPOTLIGHT.

up the first shipment from inside Bulgaria's old borders, where some forty-eight thousand Jews lived.

In Macedonia and Thrace, the project was carried out like clockwork, overseen by the Commissariat on Jewish Affairs and executed by Bulgarian bureaucrats, soldiers, and police. The stateless Jews were expelled from their homes and robbed of their goods; collected in warehouses, where many were raped and abused; packed into suffocating boxcars; delivered to the Danubian town of Lom; loaded onto barges headed for Austria; and then conducted by the Germans to their deaths at Auschwitz and Treblinka. At war's end, only twelve returned alive.

The eight thousand "undesirable" Jews from Bulgaria proper were scheduled for nearly simultaneous deportation. But unlike the Jews of the occupied territories, they had good friends in high places. The commercial and political leadership of Kjustendil, Peshev's hometown, sprang into action when a thousand local Jews were taken prisoner on March 7, 1943. A delegation of Kjustendil gentiles set out for Sofia to plead the Jews' case to Peshev. By the time they arrived, the parliamentary vice chairman was already informed of their business: According to Nissim, a close Jewish friend from childhood had alerted him to the deportations. At the time, Peshev had offered protection for the friend and his family. The friend declined, insisting that the matter called for moral intervention on a far greater scale.

The day Peshev received the Kjustendil delegation, March 9, 1943, he requested a meeting with Prime Minister Filov. Filov refused to receive him. Peshev then turned to Interior Minister Gabrovski, who admitted the deputy to his chambers. According to Peshev's memoirs, Gabrovski claimed to know nothing about the new measures against the Jews. Fine, said Peshev; if such horrific acts are being carried out without the interior ministry's approval, then surely they should be stopped. Caught in a lie, terrified of a public scandal, and perhaps pricked by conscience, Gabrovski telephoned the governors of the cities where Jews had been rounded up—boxcars stood waiting at the depots—and halted the deportations. Peshev followed up with calls of his own to be certain Gabrovski had kept his word. Later, Peshev would write in his memoirs that he was struck by a look of nervousness in Gabrovski's eyes: The interior minister, Nissim speculates, suffered a moral qualm. "Gabrovski had a crisis of conscience for two hours," says Nissim. "He would not change after what happened, he would not become a hero, he continued to be an anti-Semite. But in that meeting with Peshev, he had a momentary fear that something was wrong."

In the week that followed, Peshev drafted a petition publicizing and condemning the anti-Jewish measures; he then collected signatures from 42 of the parliament's 115 pro-government deputies. The only opposition deputies he allowed to sign were

TODOROV: DAVID CARR

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those from the extreme right, so that the petition could not be dismissed as an antigovernment act. Appealing to the national interest, the signatories deplored the "cruel" anti-Jewish measures, which could "lead to the accusation of mass murder." Peshev wrote, "The honor of Bulgaria is not only a matter of feelings but also of policy of the highest significance, and it must not be jeopardized without good reasons approved by the whole nation."

Before submitting the petition to parliament and the public, Peshev sent a copy to Filov. According to extracts from Filov's journal printed in Todorov's book, the prime minister requested that Peshev wait a few days before publicizing the petition. In that time, he hoped to intimidate some signatories into withdrawing their support and to remove Peshev with a manipulated vote of no confidence. But Peshev went ahead and publicized the petition the next day, March 19, 1943. An enraged Filov secured King Boris's approval to force Peshev to step down, which Peshev did on March 24. In an interview, Nissim suggests that the king, like Gabrovski and Filov, wished to make Peshev pay for his impertinence, because in exposing the deportation plan, he had forced the authorities to reckon with their own actions and to recognize the public's opposition. Nonetheless, the deportations were definitively canceled—and by an order that came, Nazi records indicate, "from the highest place," which undoubtedly meant the king.

At the end of March, German foreign minister Joachim von Ribbentrop would press the matter with King Boris personally. Todorov highlights an inconsistency in the records of this discussion. According to Filov's diary, Boris insisted that Bulgaria's Jews be spared because they were Sephardim (the Nazis had spared some Sephardic Jews elsewhere). But according to Ribbentrop's account of the same conversation, the king agreed to deport "bolshevik-communist elements" of the Jewish population, so long as he could retain twenty-five thousand Jews in Bulgarian concentration camps. These were needed, the king maintained, for road construction. Todorov speculates that the king, suspecting an Allied victory was at hand, hoped to appease the Nazis only as much as he had to and meanwhile stall for time. How serious was he about deporting twenty-three thousand Jews and confining the rest in concentration camps? No records exist to settle the question, but most accounts suggest he was bluffing.

In the end, none of the Jews would be shipped to Poland. The German ambassador to Sofia wrote home in despair, complaining that "the Bulgarians have lived for too long with peoples like Armenians, Greeks, and Gypsies to appreciate the Jewish problem."

BULGARIAN JEWS escaped annihilation, but the war years were not kind to them. Many Jewish men toiled in work camps, and under pressure from Dannecker and Belev, King Boris agreed to expel Sofia's Jews from their homes. They would be dispersed into the countryside, where they lived out the war in poverty and forced isolation.

But even this action was carried out under protest, especially from the Bulgarian Orthodox Church. When Sofia's Jews were rounded up on Bulgaria's national holiday, Kyril and Methodius Day, May 24, 1943, Metropolitan Stefan turned the traditional holiday festival into a mass demonstration. (The communist leader Todor Zhivkov would later be named the mastermind of the protests on this date, but no eyewitness has been found who can recall seeing him there.) Stefan sent Boris a telegram: "Do not persecute, lest you be persecuted. For with the judgment you make, you will be judged, and the measure you give will be the measure you get. Know, Boris, that God watches your actions from heaven."

It was not the first time the Church had risen to the Jews' defense. Stefan and Metropolitan Kyril of Plovdiv performed innumerable emergency conversions, and they offered Jews refuge both in churches and in their private homes. Back in March, when the Jews of Plovdiv were collected for deportation, Kyril reportedly threatened to lie across the railroad tracks to prevent the train from leaving. He is also said to have scaled a fence to join Jews held captive in a school yard, announcing, "Wherever you go—I'll go."

King Boris III died later that summer, days after a stormy meeting with Hitler regarding Bulgaria's nonparticipation in the war against the Soviet Union. He was succeeded by his six-year-old son, King Simeon II, whom the Communist Party deposed in 1944. (Simeon attended Valley Forge Military Academy in Wayne, Pennsylvania, in the late 1950s; today he is a corporate consultant in Spain.) Most Bulgarians believe the Nazis poisoned Boris, but the record is inconclusive, because his body has not been found. In 1991, Boris's heart turned up in a glass jar buried near his palace grounds—discovered by, among others, Blagovest Sendov, the head of the Bulgarian Academy of Sciences. Sendov would later become deputy speaker of parliament—the one expelled for petitioning Israel in July 2000 against the monument to King Boris III.

As for Dimitar Peshev, he died in obscurity and poverty in 1973. Tried as a fascist, anti-Semite, and enemy of the people, he was sentenced to twenty years in prison after the war but served less than two. He narrowly escaped the gulag, living out his days in relative isolation. Says Ivaylo Ditchev, "My wife's family knew him—he almost never left his home." Thanks to Nissim's recovery work, however, the Bulgarian parliament has today dedicated Peshev's former office to a foundation in his name.

BULGARIA WAS not the only country in Nazi Europe that resisted anti-Semitic measures, but, with Denmark, it ranks among the few that succeeded in protecting Jews within its old borders from genocide. Denmark was a conquered territory and Bulgaria a voluntary ally. But both

BULGARIA DEPORTED 11,363 MACEDONIAN AND THRACIAN JEWS TO THE DEATH CAMPS. TWELVE RETURNED ALIVE. TODAY, MACEDONIAN JEWS CALL KING BORIS III A VILLAIN, NOT A HERO.

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countries enjoyed an unusual degree of autonomy from the Reich; neither population adopted Nazi racial theory with much enthusiasm; and neither had produced a significant indigenous fascist movement.

Elsewhere, circumstances did not conspire in so fortunate a manner. The fact that anti-Semitism was not widespread in Holland availed Dutch Jews very little: Under direct German rule and with efficient local collaborators, Holland deported more Jews than France, where anti-Semitism had deeper roots. Nor did Romanian autonomy prevent that country's slaughter of 270,000 Jews. Puppet regimes in Croatia, Slovakia, and

eventually Hungary also proved reasonably reliable executors of Nazi orders, though in the case of Hungary, a coup had to be arranged from Berlin when Admiral Miklós Horthy's regime grew responsive to pressure from the Vatican and neutral countries. Direct German interference undermined the sustained resistance in Italy, where 6,746 Jews were deported starting in late 1943.

Bulgaria resembled other Axis countries in one key respect: It abandoned those Jews under its command who were not its own citizens. In the case of western European nations like France, such a distinction protected some French Jews at the expense of Jewish refugees from the Reich. In the Bulgarian instance, the losers were the Jews of Macedonia and Thrace, delivered to the Nazis not only because of the Belev-Dannecker agreement but also because the Bulgarian government had previously declined to offer them citizenship.

Whereas the Danish authorities explicitly and consistently repudiated the anti-Jewish measures, the Bulgarian leaders employed a strategy of feints and bluffs. Because Bulgaria had voluntarily joined the Axis, its government tended to maintain at least the appearance of cooperation, and the populace, of patriotism. Hence, the anti-deportation petitioners in Todorov's collection, apart from the communists, do not engage in fiery denunciations of the government, which they generally regarded as legitimate. Rather, they genteelly and rationally attempt to dissuade the likes of Filov from pursuing fundamentally irrational acts. They argue that the Jews are good citizens; that Bulgaria should avoid future infamy in the annals of history; that there are no Jews in positions of power in Bulgaria anyway; that Jews who converted should be spared so that other Jews will convert; that unlike Germany and Italy, Bulgaria is a little nation that cannot afford to antagonize powerful Jews in Allied countries; that annihilating the Jews will endanger future foreign investment in Bulgaria. They seem to apprehend an approaching Allied victory, and they urge their government to protect itself from future opprobrium.

Many petitioners also lodged moral pleas, but most subordinated these to more calculated modes of persuasion. "It is not surprising that the argument from political interest is put before the moral argument," Todorov comments by e-mail. "This was an eminently political situation, and the petitions address those who are supposed to watch over the country's interests. Political arguments are the arguments that should move them." He adds, "The story of Peshev also shows an individual of an essentially political mind. That which motivates him is certainly some general principles, but his passion goes into the search for means (how to convince the prime minister). One must say that he succeeded—as opposed to many good souls in the same country or in others."

Although purely "good souls" are present among the petitioners in Todorov's book, they are notably absent from the story's center. Peshev, for all his courage in the crucial hour, initially signed off on the racial laws; Gabrovski, a true villain, made the critical phone call stopping the deportations; and as for the king, as Ivaylo Ditchev rightly notes, if he saved Bulgaria's Jews, "whom did he save them from if not from his own [prior] decision?" In the end, it was those in power, and hence those most compromised, who held the Jews' fate in hand. Says Nissim, "Perhaps if Peshev didn't exist, you could remember Bulgaria as a place where many people were against the deportation and there were many petitions but nobody had the courage to act. It is important to make the distinction between those who act in power and those who act outside of it."

BOTH NISSIM and Bar-Zohar claim that their books will soon be made into movies comparable to *Schindler's List*. Back in Bulgaria, however, some academics might wince: Will the country's ambiguous and partial Jewish salvation become sentimentalized—and then used to market a beneficent image of this little-known country throughout the world? For thinkers like Ditchev, the notion of "collective innocence" can be almost as distasteful as its better-known twin, collective guilt. Both concepts rely on the assumption that members of ethnic groups share in a stable and singular identity, a notion that many antinationalist intellectuals reject as both fanciful and dangerous. To complicate matters, the drive to commemorate Bulgaria's finest moment of ethnic tolerance coincides with the immolation of neighboring Yugoslavia and the proliferation of negative stereotypes about the

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Balkans. Burnishing an image of Bulgarian tolerance could help the country distance itself from such received ideas, but at the expense of promoting what critics worry is just a different, more gratifying cliché.

If Bulgaria is an unusually tolerant nation, what makes it so? Some writers on the Jewish rescue, including Todorov, point to the Ottoman legacy—a heritage Bulgaria shares with the rest of the Balkan region. The vast, multiethnic Ottoman Empire made few distinctions among its Christian subjects, and Balkan peoples (so named for the Balkan mountain range in Bulgaria) accepted life together, distinguishing themselves only from their Muslim overlords. No "superior-race" ideology emerged under such circumstances, Todorov writes; if anything, Bulgarians had a negative and self-effacing view of their ethnicity. How could Nazi racial science take root in such a climate?

Of course, the Ottoman legacy of tolerance was of little use to Jews under Romanian dominion—or, for that matter, to those of Macedonia and Thrace. Even in old Bulgaria, Ditchev cautions, the record is not above reproach: "Traditionally there is no anti-Semitism in Bulgaria. There is no possible comparison with Romania, for instance, and the Jew is, for the Bulgarian, a model of a hardworking person and good father. But there were also individuals in this people who broke the windows of the shops of Jews near where my mother lived, and this is something no one today seems willing to remember."

Péter Krasztev, an anthropologist of the Balkans at Central European University, contrasts the Jewish story with that of the Bulgarian Turks. Persecuted periodically throughout the communist era, Turks were forbidden to speak Turkish or to practice Islam, then forced to adopt Slavic names in 1984. Those who retained their Turkish names could not work, use banks, or drive cars; many were beaten and thousands deported. When approximately 370,000 Turks fled to Turkey, many of them were stripped of their passports and property. Todorov maintains that the anti-Turkish action was organized by the communist authorities and lacked popular support—that it in fact served to awaken Bulgaria's first dissident stirrings. But Krasztev remembers it differently: "Almost nobody raised his or her voice against the mass atrocities,...and nobody really appreciates the moral standing of those who dared to resist." The dissident movement, says Krasztev, was agitating only for a Bulgarian version of glasnost and perestroika; it began in 1988, but the Turks had been persecuted at least since the 1960s.

When a documentary film on the anti-Turkish measures aired on national television this January, Bulgarian prosecutors reopened an investigation into the last communist prime minister's role. But the question remains: If Bulgaria is historically without chauvinistic nationalism, how was it that seven times as many Turks were chased from its borders as Jews were protected inside them? In fact, says Krasztev, though it's true that Ottoman Bulgaria was ethnically tolerant and diverse, with the creation of the modern state and its institutions Bulgaria also developed modern nationalism. With it came a suspicion of minorities who had links to outside powers that could potentially destabilize the state. Powerless minorities like Jews, Gypsies, Armenians, and Vlachs continued to be tolerated. But the minorities many Bulgarians perceived as threatening were Turks, Greeks, and Serbs.

Says Krasztev, "Those scholars who want to emphasize the multicultural character of the Balkans usually refer to the premodern [Ottoman-era] attitude; those who speak about a 'powder keg' refer to the modern attitude. The tricky, and actually irrational, thing is that they really coexist in people's minds, and both levels can be activated in any situation."

"I DON'T think Bulgarians are definitively immunized against intolerance. No people, alas, is so," concedes Todorov. But he suggests that critics exaggerate the dangers of taking too much pride in a Bulgarian tradition of diversity. "If a people pride themselves on having saved a persecuted minority, I don't have any objection to that; it's better than priding oneself on being the best incarnation of democracy which gives you, it seems, the right to conduct 'just wars' in the rest of the world; or on having been the greatest victim of human history. If only the Bulgarians, and other nations, could follow the example of the saviors during the Second World War!"

Todorov further admonishes that the political rhetoric of tolerance should not be confused with nationalist self-congratulation. Appeals to a Bulgarian tradition

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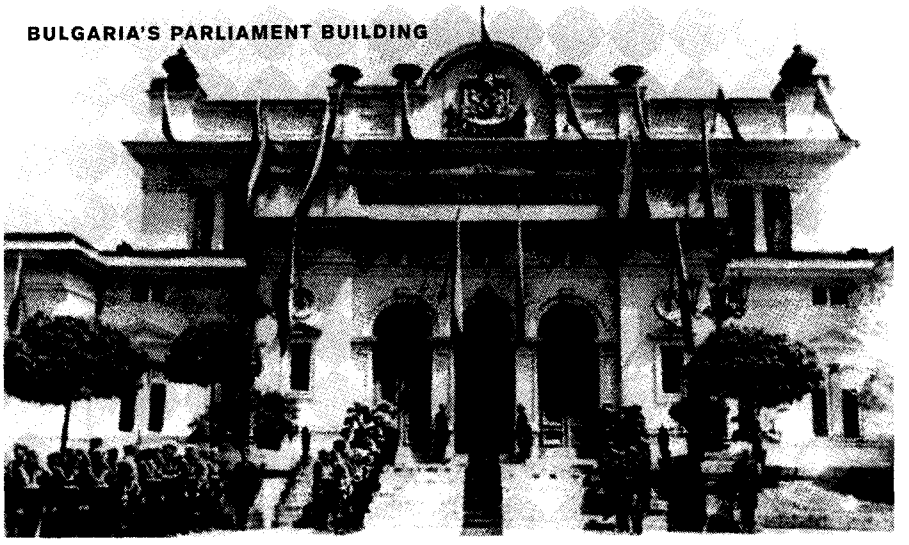

BULGARIA'S PARLIAMENT BUILDING

IS IT DANGEROUS FOR BULGARIANS TO PRIDE THEMSELVES ON SAVING A PERSECUTED MINORITY? TODOROV DOESN'T THINK SO.

of multiethnic magnanimity appear throughout the petitions in Todorov's book, every one of which calls on Filov, King Boris, or parliament not to besmirch Bulgaria's international reputation for inclusiveness and diversity. And yet, Todorov wryly points out, most of the world "does not exactly know whether [Bulgaria] borders the Baltic Sea or the Persian Gulf": The exhortation to protect the pristine public image of the Bulgarian people belies the fact that "this image is nonexistent."

In fact, the central lesson of Todorov's collection harmonizes with Ditchev's view: No single national trait or heroic individual saved Bulgaria's Jews. Todorov portrays Dimitar Peshev as the most significant among a group of important actors, including the clergy, the professional unions, and a number of ordinary people. Each performed modest but necessary acts of personal responsibility. Just one weak link in the chain these actions formed would have caused the entire rescue effort to collapse. Todorov's concluding observation is finally more sobering than heartwarming: "It seems that, once introduced into public life, evil easily perpetuates itself, whereas good is always difficult, rare, and fragile."

So fragile, perhaps, that some Bulgarians fear that its effects can yet be undermined. "We might well persist in our complacency as saviors of the Jewish community in Bulgaria," writes Stefan Popov, "while the Jewish community itself flatly rejects this homegrown Bulgarian myth and goes way beyond the removal of memorial plates."

The Jewish community seems unlikely to take such action. But in Bulgaria, the story has become a source of not only pride but also conflict, wrested this way and that among advocates of its would-be heroes. When the Bulgarian parliament sponsored the first edition of Nissim's biography of Peshev, it insisted on appending an introduction explaining, as Nissim puts it, that "the book is very good but because Gabriele Nissim is not Bulgarian, he does not know the role of the king." The essay was excised from the second edition, indicating that the king's role is more open for examination than it was three years ago. But some lines of argument continue to provoke strong reactions. Last July, Ivaylo Ditchev published an article called "We Make a Myth of Our Jews" in the Sofia newspaper *24 Tchasa*, pointing out that although Bulgarians may be tolerant toward Jews, "they are far less so toward Gypsies." The public response was ugly, Ditchev recalls: "I was accused of finding nothing sacred."

Laura Secor is a senior editor of *LF*. Her article "Rage Against the Regime: Serbian Students Fight Milosevic" appeared in the September 2000 issue.

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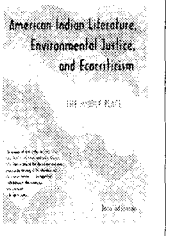

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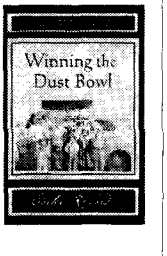

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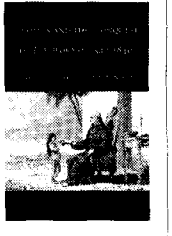

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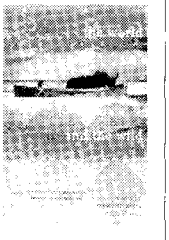

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A BLACKER SHADE OF YALE

AFRICAN-AMERICAN STUDIES TAKES A NEW DIRECTION

BY **CHRISTOPHER SHEA**

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HAZEL CARBY, CHAIR OF YALE'S AFRICAN-AMERICAN STUDIES DEPARTMENT, OVERSEES ITS TRANSATLANTIC TURN.

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TO UNDERSTAND WHY HAZEL CARBY SNAPPED, you have to try to see the incident through her eyes, to imagine how it confirmed her worst fears about sexism and elitism in the academy. The whole thing seemed practically designed to push her buttons.

A London-raised cultural critic and the chair of the African-American studies department at Yale University, Carby covers a wide range of issues in her work, but two concerns recur again and again in the background, like bass figures grounding a jazz tune: According to Carby, the media and the academy too often assume that black intellectuals are male; and they bestow disproportionate praise on a few "representative" black figures—Michael Jordan, Colin Powell, Oprah Winfrey—rather than fully engaging with black life. The same kind of errant hero worship is at work, she feels, in the way people view African-American studies.

So you can imagine her anger when she learned that Henry Louis Gates Jr., Harvard's African-American studies icon (and the putative Michael Jordan of African-American intellectuals), had been celebrated at Yale's Calhoun College in February 2000. Under the vaulted, faux-Gothic ceiling of the college's dining room, President Richard Levin toasted the "extraordinary program" that Gates, a Yale alumnus, had built at Harvard. Levin confessed that he and other Yale officials had watched the program's development "with interest and admiration, and a little jealousy." When word of this toast got back to Carby, who was on leave at the time, she erupted: Why, given Yale's own prestigious program, was Levin jealous of Harvard? And if the Harvard program caused envy, why wasn't Yale funding its own program just as lavishly?

Carby submitted a letter of resignation, in which she cited rumors that Levin had repeatedly asked what it would cost to bring Gates to Yale as the head of the African-American studies program. After a brief uproar—during which the usually reserved English and African-American studies professor Robert Stepto called Gates "a provocateur and a saboteur"—Levin apologized profusely for his unintentional slight, and Gates averred that he'd never been approached by Levin. Shortly thereafter, Carby rescinded her resignation.

THE TIMING of the brouhaha was ironic. Unbeknownst to Carby, the Yale trustees were on the verge of granting full departmental status to the African-American studies program—a goal Carby had been working toward for years. Departmental status was granted that same February (effective July 1, 2000), the first such promotion for an interdisciplinary humanities program at Yale; African-American studies now can hire its own faculty without oversight from other departments.

Moreover, Yale had recently hired its own new star in African-American studies: the University of London's Paul Gilroy, a bright light in the British cultural studies firmament who studied with Carby two decades ago at the University of Birmingham. Gilroy's 1993 book, *The Black Atlantic: Imagining Political Culture Beyond the Color Line,* a widely used and debated text in black studies, proposed to replace the field's traditionally regional focus (Africa, America, the West Indies) with a broader, more fluid "diasporic" approach. His latest book, *Against Race* (Harvard, 2000), attempts to reject the very concept of race without forfeiting the ability to single out the problems of racism and redress the effects of discrimination.

Carby hopes that Gilroy's arrival and her program's departmental status will allow Yale to begin ventilating African-American studies, broadening the field's purview beyond the borders of single nations and single-minded conceptions of race. Her attacks on the current state of the field have been acerbic. "Too much of the work of our intellectual celebrities in African-American studies," she has argued, "is about the business of producing absolute ideas and traditions of blackness or African-Americanness." She wants Yale's program to challenge the "politics of American parochialism" that she feels infect the discipline. She notes that Gilroy's work, with its sharp criticism of both racial and national pride, implicitly rebukes "the self-assured and self-promoting stance of the black intellectuals who stand as our representative and authentic black voices in the United States."

Carby has taken on institutional authorities before: She once referred to Yale's English professors as "stuffy and somewhat pompous arbiters of critical power," and during Yale's graduate-student-union battle, she described several female colleagues as "apologists" for a "punitive" university. But now she possesses institutional authority herself. With Gilroy's help, the Yale program is jockeying for position among other African-American studies programs, aligning itself closer to the academic cutting-edge than Gates's program at Harvard (with its cozy relationship to *The New Yorker* and PBS) but closer to the academic mainstream than programs like that at Temple University (whose Afrocentric approach to the African-American experience has been derided by Gates and others as a "voodoo methodology").

But rethinking African-American studies from within Yale—one of the revered birthplaces of the discipline in the late 1960s—may prove rough going for Carby and Gilroy. Houston Baker, a professor of English and African-American studies at Duke University, is taken aback by the scope of Yale's new offensive: "To have at

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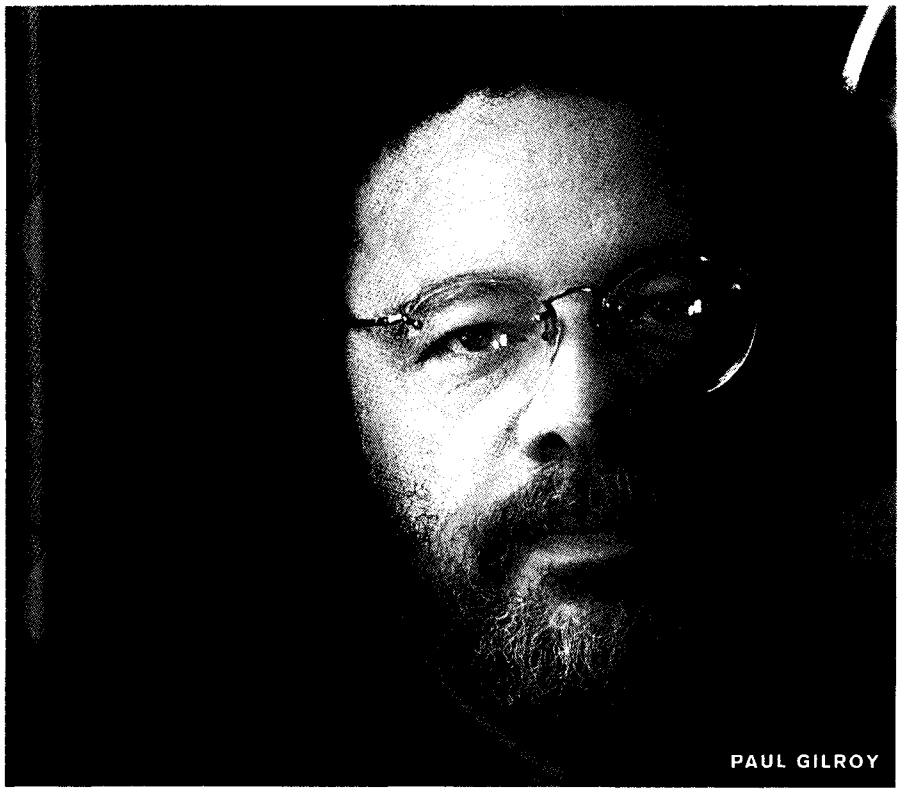
Yale folks who are not born and bred in the United States articulating derogatory statements about Afro-American studies—or, let us say, broadly, the civil rights and Black Power contests, which were the motive force for black studies—is an unfortunate phenomenon. It strikes me as very bad manners indeed."

THE STUDY OF black history and culture has a long and distinguished legacy, but African-American studies departments appeared on the scene relatively recently. When American universities began to recruit larger numbers of black students in the 1960s, few schools anticipated how soon those students would demand curricular changes and increased numbers of black teachers. Those demands, combined with more expansive cries for social justice and the politics of black nationalism, led some universities quickly to incorporate black-studies courses into their catalogs; at other schools, like San Francisco State University and Cornell, dramatic conflicts erupted between administrators and militant students.

In 1968, the Black Student Alliance at Yale convened a conference on the place of black studies in the curriculum. The conference papers, later collected in *Black Studies in the University* (Yale, 1969), are a cornerstone of the discipline. The Yale historian of slavery David Brion Davis declared that white professors like himself were "prepared to reconsider many of their basic values and premises" regarding the role of the university in society, but he also cautioned against "the serious danger of allowing our educational machinery to become an instrument for propaganda." Meanwhile, radicals and activists like Maulana Ron Karenga argued that blacks alone should design African-American studies programs. (A time-capsule moment: McGeorge Bundy, president of the Ford Foundation and former architect of the Vietnam War, declared that the 1968 conference was a "great white experience" for him.)

In December 1968, the Yale faculty created African-American studies as an interdisciplinary program, drawing on professors with slots in established departments. Big-name scholars like the anthropologist Sidney Mintz, who focuses on the Caribbean, and the art historian Robert Farris Thompson, who specializes in African and African-derived art, helped to create the undergraduate B.A. program. As black studies flourished throughout the 1970s and 1980s, Yale remained at the forefront: In 1978, it became the first university to offer a master's degree in the field; in 1985, a Ford Foundation report stated that African-American studies at Yale was "by all accounts...the strongest and most respected program."


PAUL GILROY

IN HIS INFLUENTIAL BOOK 'THE BLACK ATLANTIC,' GILROY EXPLAINED THAT NEITHER SLAVE SPIRITUALS NOR HIP-HOP WAS AN EXCLUSIVELY AMERICAN PHENOMENON.

Temple, long associated with the flamboyant Molefi Asante, created the first doctoral program in African-American studies in 1988. (Asante derides programs that do not stress the influence of ancient African civilization, particularly that of Egypt, as "slave studies.") In the 1990s, several other black-studies programs added Ph.D. programs: Yale itself (1993); U. Mass.–Amherst (1994), described by its graduate program director, Robert Paul Wolff, as "[black] nationalist but not separatist," has many professors who hail from the 1960s civil rights movement; UC-Berkeley (1997), which has shifted in recent years from its homegrown radical roots toward a Yale-like focus on the diaspora; and Harvard (2000), which is generally integrationist in mind-set. (In addition to Gates, Harvard has the philosopher K. Anthony Appiah, the sociologist William Julius Wilson, and the philosopher and social activist Cornel West.)

Like Harvard, Yale is strong in a number of areas. Aside from Carby and Gilroy, the program still features Robert Farris Thompson. Other humanists include Stepto, a specialist in American literature; Christopher Miller, a literary comparatist and expert in Francophone African literature; and Matthew Frye Jacobsen, a historian and the author of *Whiteness of a*

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Different Color: European Immigrants and the Alchemy of Race. Among the social scientists are John Szwed, an anthropologist who has written about African-American folk culture and the Anglophone Caribbean (and, more recently, about the visionary jazz bandleader Sun Ra); Gerald Jaynes, an economist who has studied the origins of the black working class; and Cathy J. Cohen, a freshly tenured political scientist who runs Yale's Center for the Study of Race, Inequality, and Politics and is the author of *The Boundaries of Blackness: AIDS and the Breakdown of Black Politics.*

Carby herself prefers to spotlight her program's graduate students. "The sorts of dissertations that are being written here," she says with pride, "are changing the field." Many graduate students' projects are explicitly transnational, such as a study of the significance of the Fisk University Jubilee Singers, a singing group that performed slave spirituals for American and European metropolitan audiences in the nineteenth century. Carby feels that work like this combats a shortsighted view of the discipline. "If you look at the intellectuals in the field from DuBois on," she says in her minimally posh British accent, "they traveled constantly. They were in Europe, they were in the U.K., they engaged with Africans, the Caribbean." But African-American studies was founded as, and largely remains, a "continental U.S. phenomenon," she remarks. According to her, the field hasn't been "true to the international perspective of its own intellectuals. I think that is now being rediscovered."

For all her brash and forthright criticism of others, Carby is respected by many as a constructive force in the discipline. "Everywhere I go," says the NYU historian Robin D.G. Kelley, "people are willing to bash other programs but are not building their own. Hazel is very good at building institutional strength, finding good scholars. She's unusual in that respect." To some extent at least, the Yale gospel is spreading: The first crop of Yale African-American studies Ph.D.'s landed jobs last year in Princeton's history department and the University of Oregon's ethnic-studies department, as well as at Indiana University and Berea College.

IF CARBY and Gilroy bring a new, transnational inflection to black studies and to Yale, their perspective can be traced to the University of Birmingham's Center for Contemporary Cultural Studies, an institution whose impact extends far beyond black studies. The center's hallmark was a discipline-hopscotching amalgam of left-wing literary, social, and political analysis. Both Carby and Gilroy studied there in the late 1970s and early 1980s under the influence of Stuart Hall, the Jamaican-born scholar who argued that mass migration was "the world historical event of late modernity."

Now in her early fifties, Carby was raised in South London, the daughter of a black Jamaican clerk and a Welsh secretary. "Shunned by relatives, friends, and strangers, and unable to find anyone willing to rent to a black and white couple with a half-caste child," she has written, her parents rented separate apartments until they could afford a house. From age four onward, Carby attended a ballet school, where she experienced one of her first brushes with racism: "The first thing they did was to put me in a performance and put a grass skirt on me."

In the late 1960s, she attended Portsmouth Polytechnic, where she participated in many protests on the steps of the U.S. embassy. In the early 1970s, she moved on to the Institute of Education at the University of London. Her taste for social justice whetted, she enlisted in a government program designed to place the best-trained teachers in the most broken-down neighborhoods. She ended up in the Docklands, an East End neighborhood of London, and the experience, she says, came to "shape all of my work" since. Dispirited when the government cut back the program, worn out by protesting the cuts, she turned to graduate school at Birmingham in 1978.

Gilroy, who has a soft voice, an achingly polite manner, and a prodigiously full head of dreadlocks, also grew up in London. His parents were intellectuals: His father, who was English, worked as a chemist; his mother, who was Guinean, taught and wrote. Even as a child, Gilroy was an acute observer of the fluidity of race. In his grade school, where quotas for blacks and Jews had only recently been lifted, he noticed that "a lot of the kids who were most racist and unpleasant to me were Jewish kids who were trying to be English." For them, he says, "an informal racist culture seemed to be about repositioning themselves. It didn't take me long to figure that out." He attended Sussex University, studying American culture, before joining Carby at the University of Birmingham in 1978.

As graduate students, Carby and Gilroy helped to put together a book of essays by their fellow degree candidates, *The Empire Strikes Back* (1982), which became a manifesto for the tiny black-British cultural studies movement. In one of Carby's contributions, "Schooling in Babylon," she researched Home Office White Papers, parliamentary bills, and education committee reports in an effort to discover how England was managing an influx of black immigrants to the school system.

The Thatcher years did not look promising for black studies in England. So, having already spent some time as a student in the U.S., Carby took a job at Wesleyan in 1985 and received tenure in 1988. The next year, she moved to Yale, where her husband, Michael Denning, teaches American studies. As for Gilroy, while laboring on his dissertation, he took a job as a researcher at the Greater London Council, where he worked on the Police Committee Support Unit, which aimed to improve relations between blacks and the police and to create greater democratic oversight of law enforcement.

CARBY ARGUED THAT W.E.B. DUBOIS'S ARCHETYPAL STATUS AS A BLACK INTELLECTUAL MADE IT MORE DIFFICULT FOR BLACK WOMEN TO BE CONSIDERED SERIOUS THINKERS.

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CARBY'S ACADEMIC career took off when her (heavily revised) Birmingham thesis became a book titled *Reconstructing Womanhood* (Oxford, 1987). Unlike her later work, *Reconstructing Womanhood* is exclusively literary criticism. In it, she explicated texts by such forgotten black women writers as Frances Harper and Pauline Hopkins. She explored how Hopkins's historical novels, for instance, conceived miscegenation as a matter of white male exploitation rather than of insatiable black male lust. Richard Yarborough, an associate professor of English at UCLA, says that after the publication of *Reconstructing Womanhood* (and several other black feminist works from the period), "we can no longer think of the last half of the nineteenth century as dominated by white male writers or, for that matter, white female writers."

After publishing *Reconstructing Womanhood*, Carby pursued more interdisciplinary lines of research. Shifting back to the Birmingham style in which she was trained, she produced one of her most cited essays, "The Sexual Politics of Women's Blues," on the relation between black women's writing in the 1920s and blues music. Most academic critics had been reading novels from the period as if they offered a full portrait of black life, she argued, but only in the blues was the sexuality of black women given free rein (as when Ida Cox sang, "I'm a one hour mama, so no one minute papa / Ain't the kind of man for me"). Continuing her reflections on sexuality and gender, Carby turned to the topic of masculinity. In her 1998 book, *Race Men*, a collection of her W.E.B. DuBois Lectures at Harvard, she argued that, by styling himself as the archetype of a new breed of dapper black male intellectuals, DuBois had created problems for black women, who thus were seemingly excluded from the ranks of great thinkers.

In one of the more controversial discussions in *Race Men*, Carby argued that the disdain for women that led Miles Davis to beat his wives could be detected in his classic 1958 album, *Milestones*. The building and release of tension in those bop tunes, she claimed, was the "homoerotic" form in which bottled-up male anger expressed itself. By contrast, Davis's more spacious album *Kind of Blue*, with its emphasis on modal scales and free-form improvisation, offered an alternative, more feminine sexual vision: "open, vulnerable, and haunted with images of creative regeneration."

The criticisms of black masculinity did not sit well with Hortense Spillers, a black English professor at Cornell. In her review of *Race Men* for *Black Renaissance/Renaissance Noire* in 1999, Spillers took issue with Carby's claim that *Kind of Blue* could teach "new ways of hearing." "Hello?" she asked dismissively, accusing Carby's work of "misjudg[ing] its audience." Real black American women, she suggested, had long ago learned to listen properly to Miles. How? From "loving big brothers."

"Who says that to a scholar who has worked in the field for twenty years?" Carby asks, still shocked by the territorial overtones of Spillers's attack. "As an intellectual response, that's outrageous. In no other field do people search someone's national credentials before they can become a professor."

LIKE CARBY, Gilroy exploded on the academic scene with his dissertation, which was published as *"There Ain't No Black in the Union Jack"* (1987)—though the book is probably now seen as more significant for presaging *The Black Atlantic*. Published in 1993, *The Black Atlantic* took off in the States and embodies the transnational sensibility now ascendant at Yale. In it, Gilroy proposed unmooring black studies from narrow nationalisms, be they American or African, and offered a glimpse of how ideas and people circulated among Europe, Africa, and the Americas. Racial "roots," he argued, could not be conceived separately from transatlantic "routes"; national stories of the black experience were at the same time always part of a greater Atlantic story.

Gilroy highlighted figures who could be considered Atlantic citizens. Robert Wedderburn, for example, was born in Kingston, Jamaica, to a slave dealer and his slave mistress, joined the Royal Navy during the American Revolution, and later migrated to London. There, he preached a radical theology that became influential in both abolitionist and working-class circles. Again and again, Gilroy insisted that culture was never as anchored to one national tradition as it might seem. For instance, hip-hop—often considered a product of American culture—did not evolve straight from American blues but rather incorporated West Indian speech and song patterns. Hip-hop then migrated across the Atlantic to the U.K., just as the Fisk University Jubilee Singers had in the 1870s, when they sailed from America to perform before William Gladstone and Queen Victoria.

For all the force of these examples, even Gilroy's fans wonder if his local insights support his broadest claims about the interconnectedness of a transatlantic black experience. Susan Pennybacker, an associate professor of history at Trinity College, says Gilroy's work has helped her think through connections between British antifascism and British reactions to American racism in the 1930s. But she raises a concern: "Can Gilroy's work be fully transposed onto the landscape of the United States? I think it is stronger on the former British Empire side of the equation perhaps. The model gets tougher to apply when one is trying to think about a population—in this country—which is deeply indigenous and which precedes by many years, in many cases, the white population."

GILROY HAS faced even more criticism over his new book, *Against Race*, and it's hardly surprising: What does it mean to propose a revolution in black studies that consists of rejecting all "lingering respect for the idea of race," wher-

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IN 1988, TEMPLE CREATED THE FIRST DOCTORAL PROGRAM IN AFRICAN-AMERICAN STUDIES. SINCE THEN, YALE, U. MASS.–AMHERST, BERKELEY, AND HARVARD HAVE FOLLOWED SUIT.

ever it is found? What is the discipline's object of study supposed to be if not race? Some scholars and activists worry that Gilroy's new line of thought equates the use of racial categories by white racists with their more defensible use by civil rights supporters. Others wonder if he isn't more indebted to racial thinking than he lets on.

As an example of his concerns, Gilroy cites a 1993 controversy in London following the notorious murder of a black youth, Stephen Lawrence, by white racist thugs. At first, the police responded to the murder with indifference. Protesters then gathered at the headquarters of a racist group, though their attention soon turned to a nearby black policeman, whom they vilified as "a traitor." Gilroy sees that attitude as a version of the same territorial sense of identity that was embraced by Lawrence's killers. "If dedicated anti-racist and anti-fascist activists remain wedded to the most basic mythologies and morphologies of racial difference," Gilroy asks, "what chance do the rest of us have to escape its allure?"

The "fraternity of purity-seekers," as Gilroy calls it, makes odd bedfellows of white supremacists and black separatists. (He reminds readers that the black nationalist Marcus Garvey boasted that he and his followers were "the first fascists" and that he was "brutally a black man," just as a Ku Klux Klan leader was "brutally a white man.") In England, he notes with dismay, when an unemployed black Rastafarian demanded that the government pay for his repatriation to Africa, white racists took up his cause.

Even mainstream intellectuals, Gilroy believes, are susceptible to the lure of simplistic race-bound thinking: He criticizes Tricia Rose of NYU and Michael Eric Dyson of DePaul University for claiming to locate specific black practices in pop music and implying that only scholars with black skin can interpret those practices. Gilroy's own view of black pop—his scholarship has often focused on music, be it that of Robert Johnson, the Wailers, or Soul II Soul—has grown more pessimistic in his latest work. Musical and lyrical expressions of freedom, he feels, have given way to sexually obsessed and militaristic rap that often seems designed chiefly to accompany videos. Far from subverting mainstream discourse, the music, in its superficiality, only perpetuates the surface-loving status quo of the corporate and political spheres.

For all his resistance to race-coded thought, Gilroy does not appeal to "race-blind" enlightenment ideals. His formu-

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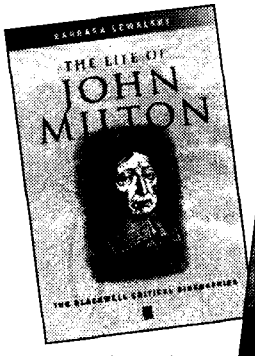

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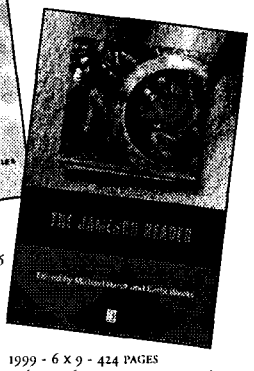

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lation of humanism, he writes, "cannot be reached via any retreat into the lofty habits and unamended assumptions of liberal thinking." The trick for Gilroy is to do away with race while at the same time stressing how great a role race has played in modern history. Pressed on how he differs from liberals or neoconservatives who espouse a color-blind society, he explains: "I've tried to say that we can license a turn away from the idea of race only if we are alert to how the workings of white supremacy have damaged the promise of enlightenment modernity." The perception that Gilroy has a blithe attitude about racism is one he blames in part on Harvard University Press, which changed the title of his book from *Between Camps* (the British title) to *Against Race* over his protests. "I imagine somebody in marketing thought they could flip me into the Ward Connerly demographic," he says, his voice rising.

few years questioning ideas of racial identity. One might think, therefore, that he would support Gilroy's work. But he found *The Black Atlantic* muddled by unexamined racialized premises. (He has not yet read *Against Race*.) The very notion of diaspora, he points out, depends on links to a homeland that run deeper than mere culture—you aren't part of the black diaspora just because you play the blues. Thus "the notion of diaspora is essentially racial, and there is no account of the diaspora that can do without race," he concludes.

Other reactions have been more visceral. Temple's Molefi Asante calls *Against Race* a "misguided" and "reactionary" book, one that "runs counter to the wisdom of experience in the African-American community." In Asante's view, "to deplore or lambaste African fraternal gatherings [such as the Million Man March] without an appreciation of successful historical reactions to racism and white supremacy by black nationalism is to miss the point of this century."

ASANTE BELIEVES THAT GILROY'S LATEST BOOK IS "MISGUIDED" AND "RUNS COUNTER TO THE WISDOM OF EXPERIENCE IN THE AFRICAN-AMERICAN COMMUNITY."

In a forthcoming review in the *Review of Education, Pedagogy, and Cultural Studies,* David Palumbo-Liu, director of the program in modern thought and literature at Stanford, challenges much of Gilroy's latest project. The main problem, he says, is that in Gilroy's argument, "what we gain in terms of a speculative, philosophical point, with some potential political effect, we almost equally lose in terms of a practical political and legal voice." What happens to affirmative action, or any form of redress for racist wrongs, if the idea of race is abolished? How can Gilroy, for that matter, speak lovingly of "black vernacular culture" if he would ultimately do away with the concept of race itself? Can a "black diaspora" really be envisioned without recourse to race or geography? Palumbo-Liu also objects to the tone of the book: By describing his own position as "the only *ethical* response," Gilroy, he says, casts those who disagree out in the cold.

Walter Benn Michaels, an English professor at Johns Hopkins, has spent the last

Gilroy is on record opposing Asante's notion of Africanness, but he professes himself stunned at the anger he has stirred up in other quarters. "I don't think there is anything I've ever written that minimizes institutionalized racism in the lives of African Americans," he says. "I've never made comments to suggest that I don't take that seriously or don't take the struggles against it seriously. Actually, I say that these histories are a kind of cosmopolitan legacy for our planet."

CLEARLY, Gilroy is already experiencing some of the downside of American-style academic stardom. "If I feel I am being set up as a particular kind of voice of authority," he explains, "I would just retreat, really. I'd rather get on with being with my own students and writing my books." Part of the problem, he thinks, is that he is being read as a finger-wagging, schoolmarmish scold of African-American intellectuals, when in fact his argument is oriented toward Europe and must be viewed in the context of that continent's antiracist tradition. "I know that part of the American domination of the world is to make it hard to imagine that there is any other political constituency than Americans, but that's not the case," he says.

For now, he's clinging to the idea that controversy is the sign of a healthy intellectual project, though some of the attention—both adulatory and accusatory—is wearying. Ultimately, Gilroy's own influence in this country helps to prove his larger point; his move to America—and Carby's twenty years ago—can be seen as part of the cross-fertilizing story of the Atlantic.

But of course, the routes go back and forth. So even as Gilroy helps reorient African-American studies in this country—and learns to negotiate southern Connecticut without a car and to deal with American-sized restaurant portions—he has still held on to his flat in London. "You never know when you might need it," he says, with a conspiratorial wink.

Christopher Shea is a contributing writer to *LF*. His article "Don't Talk to the Humans: The Crackdown on Social Science Research" appeared in the September 2000 issue.

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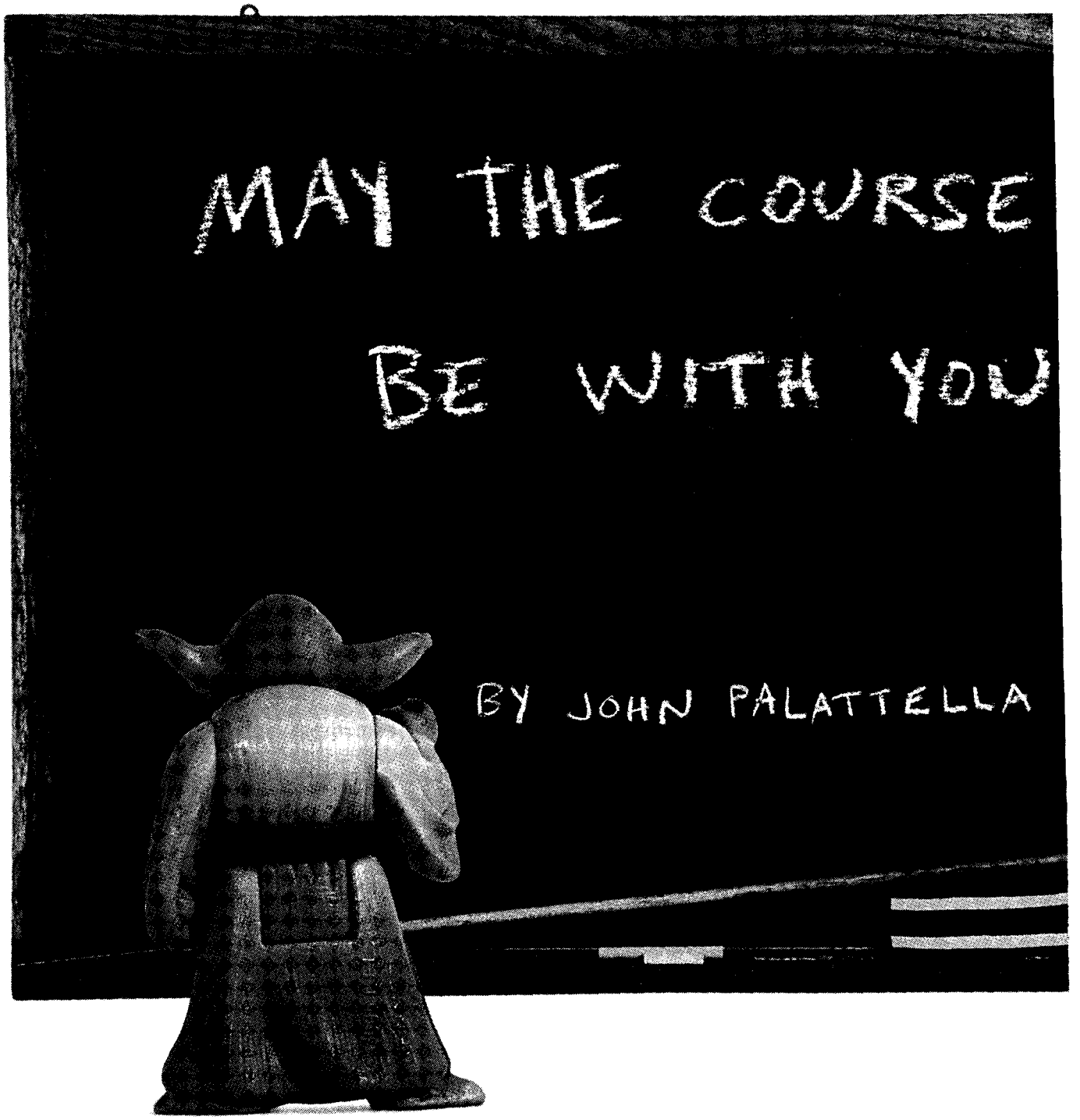

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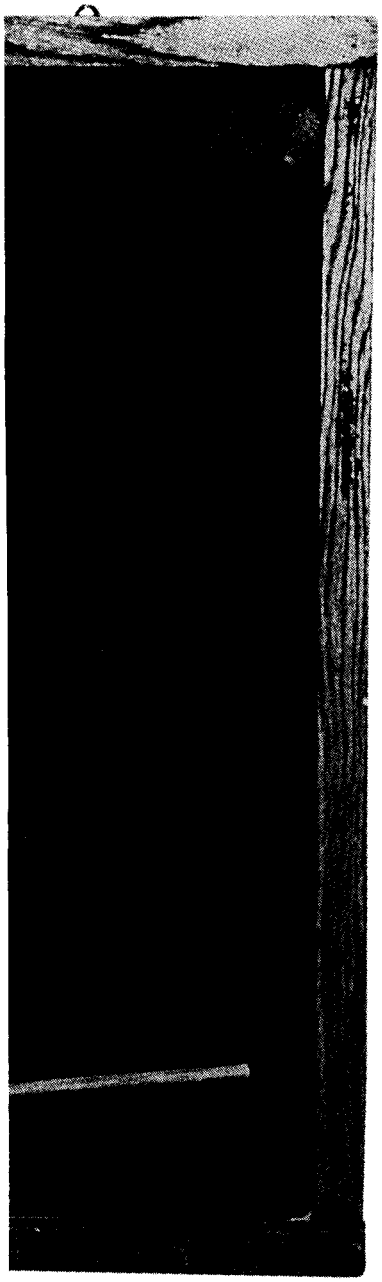

UNIVERSITIES CLAIM THE RIGHT TO SELL CLASSES ON THE INTERNET. THE FACULTY STRIKES BACK.

IN 1999, THE HARVARD LAW PROFESSOR ARTHUR MILLER SOLD a videotaped series of his lectures to the Concord School of Law, an Internet-based, degree-granting institution that planned to use those lectures as part of its curriculum. When Harvard found out, it accused Miller of teaching elsewhere without its permission. Miller, a renowned copyright scholar, countered that the lectures belonged to him, and that he could sell them as he pleased.

Could he? Or did Harvard own his course? It was not the first time faculty and administrators had sparred over course ownership. Professors were outraged when UCLA Extension, one of the largest continuing-education programs in the country, signed a contract with an off-campus firm, OnlineLearning.net, in 1994. The contract granted the company the exclusive right to distribute on-line versions of UCLA courses. Under pressure from the UCLA faculty senate, the contract was amended in 1999 to affirm professors' rights to the intellectual content of their courses—

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though the contract still granted OnlineLearning.net the exclusive right to distribute and market those courses.

The issue of course ownership is a complicated one. And it only seems to get muddier the deeper you dig. To start with, what is a course? Is it the lecture notes that the professor prepares? Is it the syllabus? The ideas and opinions a professor expresses in class? The books and articles and other resources that made the course possible? The act of teaching itself? Fifteen years ago, the metaphysics of lecture courses might have been a topic to hash out over coffee in the faculty lounge. But today such questions are more likely to be asked in courtrooms and board meetings. Their answers now have pressing practical implications for universities, professors, and private interests alike.

The rise of the Internet and the lure of lucrative on-line distance-education programs have suddenly and unexpectedly made courses a hot commodity. Many universities, looking for a cost-effective way to grow without expanding their bricks-and-mortar campuses, see a gold mine in packaging the courses they already have into "content" to be sold and distributed on the Internet. Though some recent studies have argued that university-based on-line learning is unlikely to offer sustainable growth or profit, the issue of course ownership is now out of the bag. And as the latest power struggle in the university system, it's not going away.

The notion that professors might create objects of considerable commercial value for their employers is nothing new. Ever since 1980, when Congress passed the Bayh-Dole Act, universities have been permitted to patent the results of federally funded research on campus, and they've profited handsomely. Copyright, however, hasn't been an issue of great concern, especially to humanities and social science professors. "Faculty in the hard sciences and the engineering departments have traditionally dealt with patents and have some knowledge about patent procedures," says Dan Burk, a professor of law at the University of Minnesota. "But the folks in the humanities and social sciences have never thought about copyright much at all," he notes, "in part because universities have seen copyright as a different case."

Why has copyright been overlooked? No doubt the relative unprofitability of academic books and articles has been a factor. And there's also the difficulty of copyrighting something as intangible as lectures, which prior to the Internet could not easily be sold on a mass scale. But now, like commodities, they can be packaged (or "templated") in a standardized manner. Consider the course template created by eCollege.com, a Colorado-based company that provides the technology and design for thousands of on-line courses offered by hundreds of colleges and universities nationwide. The eCollege template takes the various activities and materials that make up a face-to-face course and organizes them as a collection of virtual components. One component is an archive of course content: syllabus, readings, homework assignments, film clips, audio clips, still photos, charts, and even recordings of lectures. Another component is a feature that permits a professor to administer exams and quizzes and to post announcements on a bulletin board. The template even allows for more ephemeral aspects of the classroom experience: In the threaded discussion loop, for instance, a professor and students can post written (and subsequently archived) comments on a subject.

But even if the Internet makes it possible to transform a course into an object for widespread sale and distribution, courses remain problematic commodities for other reasons. For one thing, professors use lecture courses to express the opinions on which their academic careers are built; not surprisingly, they are eager to keep their lectures under their own control. Robert Meister, a professor of politics at the University of California at Santa Cruz, worries about what will happen when universities license courses to commercial enterprises that may alter the product to match the needs and attitudes of consumers. "The University of California," Meister explains, "can enter into a partnership to 'brand' the UC name for quasi-educational activities that use materials that were originally developed at UC and that UC claims to own, perhaps in an adulterated form. Who has the final say, the university or the author?"

Charles Nash, a professor emeritus of chemistry at UC-Davis, recounts a horror story about another UC-Davis professor who visited the Web site of a commercial note-taking firm and found notes for one of her courses. "She went through the roof," Nash says, because she felt that the notes, which had been posted without her permission, carelessly "misrepresented her point of view and opinions. In her

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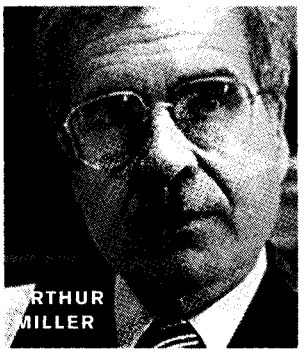
view, they made her out to be anti-Semitic, which is of course not true."

What does the future hold? If course copyright ends up in the hands of professors, will academic superstars like Miller become high-paid freelancers, selling their finest lectures to the highest bidders and forcing their students to sign nondisclosure agreements to protect trade secrets? If copyright falls to the universities, will it generate ranks of untenured part-time professors who are hired to churn out a few lectures and then dismissed, their ideas packaged, branded, and endlessly resold for university profit? Dread of this latter scenario is causing some professors to view the assertion of copyright over their courses as a way of protecting both their commercial interests and their academic freedom in an increasingly market-oriented university. Meister concedes that faculty "give the university some rights when we sign up to teach a course and we have some obligation to teach the course." But that obligation, he argues, entails another: "How do we describe the rights we give the university in a way that is consistent with our academic freedom and our intellectual integrity?"

WHEN MILLER SOLD HIS LECTURES TO AN ON-LINE LAW SCHOOL, HARVARD WAS FURIOUS. BUT DID THEY HAVE ANY RIGHT TO STOP HIM?

COPYRIGHT has often been interpreted as the right to own one's creations. But not always. Back in 1557, Queen Mary I issued a decree under which only royal guild members could print and sell copies of a written work—a monopoly they were to exercise in order to censor "seditious and heretical books." Later authors like Daniel Defoe protested this monopoly on grounds that it effectively stripped them of their common-law right to their property. A book, Defoe declared in 1710, "is the Author's Property, 'tis the Child of his Inventions, the Brat of his Brain." The protests of Defoe and others bore fruit later that year when Parliament enacted the Statute of Anne, which held that authors could control the copyright to their works for a period of fourteen years.

In the United States, the framers of the Constitution permitted a limited monopoly in intellectual property when they wrote Article 1, Section 8, which enjoins Congress to secure "for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." Today, authors enjoy a copyright with expansive control over reproduction, distribution, and display from the moment they fix an original work in a tangible medium of expression until seventy years after their death.



But what about something expressed in a nonfixed medium, like a lecture course? Here things get tricky. In the 1969 case *Williams* v. *Weisser,* a UCLA faculty member sued a commercial note-taking service for taking notes on his class lectures and selling them to students without his permission. California's Court of Appeals for the Second District ruled that a professor owns the copyright to course materials. But there was a catch: The decision emphasized *written* course materials, leaving an opening for future debate over the ownership of less tangible course materials.

To complicate the legal picture further, in 1976 Congress revised the 1909 copyright act to include an explicit definition of the so-called work-for-hire provision. This provision addresses the copyright of work prepared by an employee within the scope of his or her employment, or work that an employer has specially ordered or commissioned for use. In such cases, the employer holds the copyright. Are professors workers for hire under this law? It seems possible: Faculty generally have long-term employment relationships with schools that enjoy the right to request certain tasks of them, such as doing research and preparing course materials. And those tasks are typically conducted with the benefit of institutional resources and support.

On the other hand, there is a case to be made for exempting professors from the work-for-hire provision. In a 1988 court opinion, for example, Judge Richard Posner of the U.S. Court of Appeals for the Seventh Circuit found that the "reasons for a presumption against finding academic writings to be work made for hire are as forceful today as they ever were." Noting that colleges and universities do not supervise faculty in the preparation of books or articles, Posner pointed to "the lack of fit between the policy of the work-for-hire doctrine and the conditions of academic production" and said that the court might, "if forced to decide the issue, conclude that the [academic] exception had survived the enactment of the 1976 Act." Although course materials were not mentioned, there is little in the opinion to suggest its reasoning doesn't apply equally well to them.

The recently published *Statement on Copyright* by the American Association of University Professors (AAUP) echoes Posner's arguments and envisions dire consequences if the academic exception is not recognized. Under the work-for-hire theory, the statement notes, universities would have the power "to decide where [a] work is to be published, to edit and otherwise revise it, to prepare derivative works based thereon...and indeed to censor and forbid dissemination of the work altogether."

OF COURSE, Posner's decision was handed down at a time when the ownership of courses was not a pressing matter. But in recent years, the idea of an on-line-learning explosion has entered the minds of professors and administrators alike. Commercial outfits like UNext.com, Fathom, and Pensare have formed partnerships with major universities and sell their courses to audiences nationwide. In other cases, universities have entered the courseware marketplace on their own. Both

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New York University and the University of Maryland have recently launched for-profit on-line subsidiaries to market their courses to corporations and individuals. Still other schools, like the Stevens Institute of Technology in Hoboken, New Jersey, are aggressively marketing on-line materials without any for-profit subsidiaries.

In all these cases, courses are delivered over the Internet in various shapes and sizes. A student can go to Fathom and enroll in a ten-week course on the Cabala, offered by the University of Melbourne, or take a self-paced, semester-length course on the history of modern Japan, offered by the University of Washington. A company will be able to license Stevens's entire thirteen-week course on wireless communications technology or only the same course's one-week module on local area networks. Universities have a clear interest in taking advantage of these new opportunities—if only they can.

IN APRIL 1997, the University of California's Office of the President formed a task force to revisit copyright policy—particularly notions of fair use and ownership. The result was the Universitywide Task Force on Copyright's Report and Recommendations (commonly known as the Tanner Report, after task force chair Michael Tanner), which appeared in two successive drafts.

"The first version of the Tanner Report was absolutely the worst document imaginable," says Edward Condren, professor of English at UCLA. When I first called Condren to discuss the report, he couldn't talk because he was arranging the chapters of a recently completed book on the floor of his study. Condren has been a professor for nearly thirty-five years, and his book, *Beyond Phi: The Numerical Universe of the Gawain-Pearl Manuscript,* is a study of the intricate numerical formulas that unite the poems contained in the manuscript known as Cotton Nero A.x.—*Pearl, Purity, Patience,* and *Sir Gawain and the Green Knight.* The UCLA medievalist also happens to be an authority on intellectual property and defamation and has testified in numerous high-profile court cases—most notably as an expert witness for the defense in *Falwell v. Flynt,* in which evangelist Jerry Falwell unsuccessfully sued porn king Larry Flynt over a vicious parody in *Hustler* magazine.

Condren condemns the first draft of the Tanner Report for suggesting that "the university owned [courses] outright and that the university would manage the copyright" to course materials. "I have never been interested in this subject simply because there are fiscal overtones," he says. "It's an issue of copyright ownership and academic freedom. If I have written an article that takes an important stand, I want it to be clear that it's my position. I don't want anyone fiddling with it and keeping my name on it as though it were still mine."

Shortly after draft one of the Tanner Report appeared in September 1998, a perturbed Condren contacted the Council of the University of California Faculty Associations (CUCFA). (At the time, he was also aiding the UCLA faculty senate in its battle with UCLA Extension.) Draft one was not official university policy so much as a study of copyright issues. Nonetheless, the council felt compelled to state its objections. If the report went unchallenged for long enough, explains Robert Meister, the current CUCFA president, "it might be considered to have contractual force." CUCFA's then president, Mary Ann Mason, a professor of sociology at Berkeley, invited Condren to a meeting at which Condren was asked to write a reply to draft one. CUCFA then based its official response to the report largely on his contribution.

CUCFA's letter accuses the university of trying to usurp faculty rights with disingenuous argument and hand waving. "Throughout the Tanner Report," it states, the use of "'allocation,' 'assignment,' 'management,' and similar words" implies that the university has the right to distribute or market property that it has not authored. But the Copyright Act of 1976 expressly precludes the involuntary transfer or exercise of copyright; by assuming the right to distribute copyrighted property, the university is in effect assuming the copyright itself.

According to CUCFA, the Tanner report also implied that "substantial investment of university resources [in on-line course materials] confers on the university the right 'to use them again.'" But that, CUCFA counters, is inconsistent with other university practices: "A scholar's research into the dramatic tensions of Shakespeare's plays, for example, would likely be conducted with the substantial resources of a university library.

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WHEN THE TANNER COMMITTEE ISSUED ITS FIRST REPORT, CONDREN DECIDED TO FIGHT BACK. "IT WAS ABSOLUTELY THE WORST DOCUMENT IMAGINABLE," SAYS THE MEDIEVALIST.

But the ownership of these resources has never been understood, by the university or by others, to give the university the right to claim ownership of the resulting scholarship."

Most puzzling, in Condren's opinion, the report suggests that lectures might be considered performances. "Although the Tanner Report asserts that 'real-time classroom lectures...are performances for purposes of the Copyright Act,' the Act itself does not support this interpretation," CUCFA's response states. "The language about performance was a trial balloon sent up to see what the university could get away with," Condren surmises.

On November 18, 1998, Mason sent CUCFA's response to Carol Tomlinson-Keasey, then the vice provost of academic initiatives at the UC Office of the President and the task force's administrative contact.

The second draft of the Tanner Report appeared in October 1999, and this time the tone was more guarded, the arguments about ownership less presumptuous, and the assertion about lectures being performances had vanished. Meister is pleased with much of the second draft, and Condren is happy to see apparent concessions to CUCFA's argument—though he's not sure how sincere those concessions are. "To the extent that they acknowledge that faculty have copyright ownership of lectures," he says, "that's fine." But he is quick to note that "the language on allocation, assignment, and management" has been carried over from draft one's discussion of classroom materials. How can the report rely on that language, Condren wonders, and by implication assume that university policy can take precedence over copyright law, while also claiming to endorse the AAUP's statement on copyright—which affirms faculty ownership of course materials and cautions universities against using such language?

The Tanner Report's recommendations are now in the hands of a UC-wide standing committee on copyright, whose twelve members are still drafting a policy

on the ownership of course materials. The committee chair is Rory Hume, UCLA's executive vice-chancellor, who doesn't say if he was swayed by CUCFA's protests, though it sounds as if the policy will contain language about copyright that reflects some of Condren's and Meister's views. "It's very unlikely that the prime starting point will be the university owning the material. It's more likely that the university will reaffirm the faculty-ownership position," Hume says. He adds, though, that "there are likely to be circumstances in which the university investment in something is so great that it might need to declare ownership, and we would most likely establish a committee of some sort that would approach those instances on a case-by-case basis."

SINCE THE Tanner Report, the key development in the copyright debate has been the passage of a bill in the California legislature protecting professors' control of course materials. Signed by Governor Gray Davis this past September, Assembly Bill 1773 was conceived as a reaction to several Internet-based note-taking services that were selling their wares to University of California undergraduates. The bill prohibits the recording of all or part of a professor's live lecture without the professor's permission. AB 1773 piggybacked onto a part of California's civil code, section 980, that grants common-law copyright to works of authorship not fixed in a tangible medium of expression. (This section was written for Hollywood as a measure to prevent eavesdroppers from filching story pitches.) Reasonably enough, AB 1773 affirmed that 980 covered the voicing of ideas in the lecture hall as well as on the studio lot. By drawing on 980, the bill clearly covered oral as well as written expression.

But even if professors are having some success in pressing their claims, the work-for-hire provision remains a powerful tool that universities can use to claim control over courses and other faculty creations. Of course, not every university might want to claim complete control. For some administrators, there is another way: The notion of "unbundling" is an increasingly attractive solution to quarrels over the ownership of on-line materials.

The advocates of unbundling are pragmatists. They concede that even if a university could successfully argue that it holds the copyright to on-line course materials, the last thing it should do is exercise carte blanche. "The fastest way to derail any conversation about faculty engagement in course materials is to assert that these are works made for hire," warns *Who Owns Online Courses and Course Materials?*, a report issued by the Pew Learning and Technology Program.

The mantra of unbundlers is that the ownership of copyright is not an all-or-nothing proposition: Neither a professor nor a university needs to own all the rights to copyrighted material. Their touchstone is *Ownership of New Works at the University*, a report published in 1997 by the Consortium for Educational Technology in University Systems (CETUS). The report recommends using a contract to

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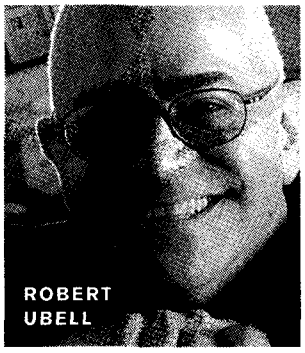
separate and allocate—or unbundle—the various rights belonging to a copyright holder, so as "to optimally support the mutual interests of the university, faculty, staff, and students."

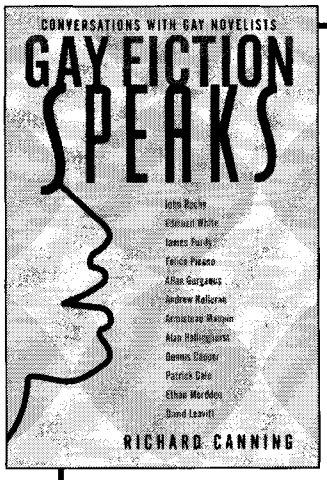
ROBERT UBELL is the director of Web-based distance learning at the Stevens Institute of Technology, and the CETUS report was at his elbow last year when he developed an intellectual-property policy for on-line courses. The foundation of the policy, which the faculty approved in November, is a contract according to which Stevens pays a faculty member a negotiable fee to develop an on-line course and the developer assigns copyright of the course to Stevens. In return, the faculty member retains the right to use all the materials created for the on-line course in a textbook, a consulting practice, or a face-to-face class at Stevens or elsewhere. The faculty member cannot teach the entire course at another institution, either in a classroom or on-line, without Stevens's permission. If Stevens licenses the course, the course developer receives one-third of the revenue. At present, the development of on-line courses does not count toward tenure.


ROBERT UBELL

Ubell views the unbundling contract as a happy compromise. It allocates the benefits of ownership to Stevens and the benefits of authorship to faculty, and it squares Stevens's need to recover the costs of developing on-line courses with the faculty's need for academic freedom and career development. I told Ubell that I was skeptical—can a course be distinguished so easily from the course materials that constitute it?—and that the contract seems to tilt in Stevens's favor. Isn't the arrangement analogous to saying that a faculty member owns all the rooms in a house, but Stevens reserves the right to rent the house at any time?

"No, it's not that at all. The parallel is more with book publishing," Ubell remarks. "For example, I may own as an author the articles I have published in journals, in that I've granted to the journals only a onetime exclusive right to publish the articles. Then I go to a book publisher and say I want to publish the essays as a collection. The publisher loves the idea but says, 'Look, this collection is our property to market and to do with as we wish. As a bundle they belong to us, separately they belong to you.'" Ubell admits that although unbundling may look easy, "it is complicated." He adds: "It's hard to think of a virtual thing"—the on-line course—"as a thing."

Others have more serious doubts about the practice. What it signals, says Mark Smith, associate dir-ector of government relations at the AAUP, "is that there's confusion about an institution's role. Is it a university or simply a publisher?" There's also the matter of bargaining positions—always a delicate issue in contract negoti-



Speaking of **Fiction**

Twelve of today's best-known gay novelists, including Edmund White, Allan Gurganus, and Andrew Holleran, reflect on their writing practices, literary influences, and relationships with peers, gay and straight

"These interviews . . . do more than record the thoughts of important neglected writers. They begin to outline the as-yet-untold history of Anglo-American gay male fiction." —David Van Leer, author of *The Queering of America: Gay Culture in a Straight Society*

"The book illustrates how these serious artists negotiate the cultural minefields of literary and identity politics in a marketplace that both values and devalues them as 'gay.'" —*Publishers Weekly*

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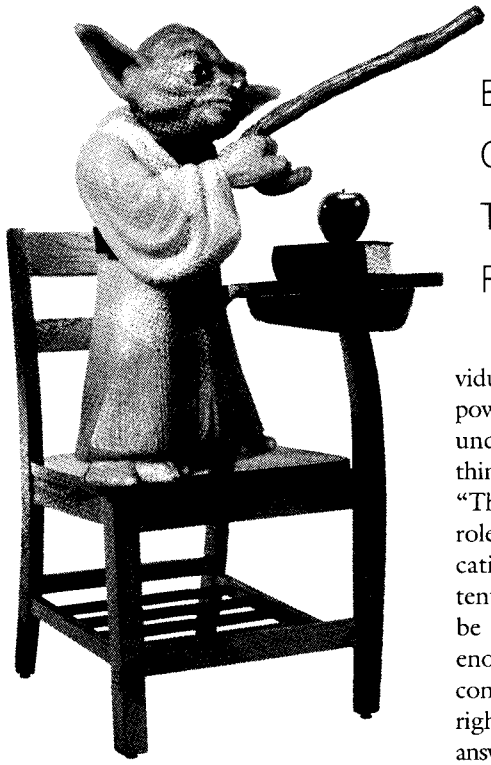

BURK MAINTAINS THAT THE "REAL DEBATE" IS OVER THE FUTURE OF FACULTY: "WILL ONLY THE 'STARS' HAVE ENOUGH BARGAINING POWER TO GET A GOOD CONTRACT?"

ations. Smith explains that the AAUP "would not be in favor of a generic resort to unbundling contracts instead of copyright laws, but contracts are OK in specific situations as long as they are applied as narrowly as possible. The problem is that if you are dealing with part-time employees who are teaching a class, their bargaining position is virtually nil, and that's not an appropriate situation." How can a contract be negotiated in good faith if the parties to it don't enjoy equal bargaining power?

Even Minnesota's Dan Burk, an unbundling advocate, admits the practice can create problems for part-timers. "This is very much like the situation freelance writers have faced and are facing vis-à-vis large publishers," he says. "One possibility that may appear in academia, as it has with freelancers, is that of collective action," such as a union or an association acting as a bargaining agent. Just as in freelance writing, Burk says, "most 'freelance' teachers will have relatively little bargaining power, but 'big names' may have enormous bargaining power—the Arthur Millers, Paul Samuelsons, or other 'star' faculty may be able to demand any kind of deal they want."

HERE THE debate over copyright dovetails with larger concerns about the university. Burk says the unlikelihood of individual part-timers wielding any bargaining power in negotiations about on-line courses underscores a larger point, one that he thinks has nothing to do with copyright. "The real debate," he claims, "is about the role of faculty in twenty-first-century educational institutions: Will there be any tenured faculty in the future? Will we all be freelancers? Will only the 'stars' have enough bargaining power to get a good contract?" He adds: "These aren't copyright questions or questions that will be answered by copyright. But when we answer these questions, the ownership and control of faculty materials falls into place."

Corynne McSherry, a second-year law student at Stanford University, agrees with Burk that questions about authorship and intellectual property cannot be distinguished from larger questions about the faculty role in the university. Her forthcoming book, *Uncommon Controversies: Property Stories and the Redefinition of Academic Work* (Harvard), explores those questions. Her worry is that if faculty treat copyright law as a battleground for the ills of the contemporary university, such as creeping commercialization, they will overlook the fact that copyright is a symptom, not the cause, of their despair. If faculty copyright can be bargained away from professors with relative ease, then clearly the problem has more to do with the power of the professor generally in the university.

McSherry cautions that "when property becomes ground zero, the essential organizing principle for the discussion of academic work, that's when you lose the ability to talk about academic work as part of a different kind of incentive system"—by which she means an intellectual marketplace characterized by uninhibited collaborative inquiry and freedom from outside commercial pressures. "In the end," she says, "what you do is replace the hierarchies of the academy with the inequalities of the free market."

Mark Rose, a member of the Tanner committee and a professor of English at the University of California at Santa Barbara, takes a long view of the debates over course ownership. "We are in a moment of tremendous change because of the digital revolution, which is usually compared to the printing revolution. In fact, insofar as intellectual property and copyright are concerned, the printing revolution is the wrong moment to look at." The right moment, Rose thinks, is the eighteenth century, in the decades after the passage of the Statute of Anne in 1710. At that time, "there was a cultural transformation at work, both because the effects of printing technology had spread throughout the culture and because the marketplace had developed fully formed structures. There was a period of legal uncertainty, and copyright issues were talked about in terms of crisis."

Rose believes that as in the past, today's crisis will be slowly sorted out among all the players ("courts, legislature, the trade, the public," he says), which could take years or even decades. If that's true, don't be surprised if faculty like Edward Condren, Robert Meister, and Charles Nash continue to defend their copyright with arguments that echo those made by one of the fiercest minds of the previous crisis. In *Areopagitica* (1644), John Milton penned an angry attack against the monopolies enjoyed by British booksellers, inspiring Defoe and others in their struggle for authorial copyright. "Truth and understanding are not such wares as to be monopolized and traded in by tickets and statutes and standards," Milton wrote. "We must not think to make a staple commodity of all the knowledge in the land, to mark and license it like our broadcloth and our woolpacks."

John Palattella's essays and reviews have appeared in *Lingua Franca, Dissent, Newsday,* and other publications.

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CONFERENCES

ALTERED STATES OF CONSCIOUSNESS

Drugs, meditation, hypnosis, ecstasy, dreaming, hallucination, mass hysteria: There are countless ways of achieving altered states of consciousness. Why are some valued while others are deemed dangerous and are therefore feared? Why do we continue to wage a "war on drugs" despite its staggering costs and obvious failure? How do culture and history determine our attitudes and rules governing mind-altering activities? This conference will reflect on the current debate about mind-altering substances, examining religious, psychiatric, recreational, and inspirational practices of altering consciousness, looking back at the historical roots of our current views and policies and forward to more rational, less harmful solutions to what some perceive as a national epidemic. For information and registration, T: (212) 229-2488; e-mail <socres@newschool.edu>; Web: http://www.newschool.edu/centers/socres/altered.

New York, NY: February 22–24, 2001

POPULAR MUSIC AND THE PERFORMANCE OF DIFFERENCE

IASPM-US (United States branch-International Association for the Study of Popular Music) invites paper proposals for its 2001 conference (Iowa City, IA, September 13-16). The theme reflects the key role played by popular music in the formation of social and cultural identities. Of particular interest are papers that explore ways individuals and groups have used popular music to delineate spaces of self-expression, to challenge or reinforce received patterns of identification, and to contest or exert power over Others. We invite presenters to interpret "difference" broadly, possibly including race, class, gender, sexuality, national or regional variations, differences engendered by shifts in technology, etc. One-page abstracts, via e-mail: <waksman@bgnet.bgsu.edu> Deadline March 1, 2001. Full CFP and info, Web: http://www.iaspm.net

Iowa City, IA: September 13–16, 2001

RACE AND PHILANTHROPY

Columbia University's Institute for Research in African-American Studies announces a conference that examines the involvement of philanthropic organizations in the lives of African Americans and the relationship of philanthropy to social scientific thought and public policy formulation. For black Americans, charitable agencies, advocates, churches, settlement organizations and research centers that guide philanthropic practice play a central role in their lives and communities. This relationship remains discordant and at times contentious since the provision of charitable assistance can lead to the loss of self-determination on the part of the recipient if not conducted responsibly. Moreover, with the pullback of government services and, correlatively, the increased reliance on charity and grantmaking as a means to respond to social hardships, it is imperative to understand the role of philanthropic actors in racialized communities and their influence in shaping the discourse on race in America. For more information, T: (212) 854-7080; F: (212) 854-7060; e-mail: <kh328@columbia.edu>.

New York, NY: March 2–3, 2001

MERIDIANS : FEMINISM, RACE, TRANSNATIONALISM

Announcing the *Meridians* Inaugural Conference, to be held at Smith College, Northampton, Massachusetts. The conference will be a convergence of scholars, activists, filmmakers, performance artists and poets interrogating the identities, politics, and practices associated with "feminist," "third world," and "women of color." *Meridians* is a new, peer-reviewed interdisciplinary journal that offers a forum for scholarship and creative work by and about women of color in United States and international contexts. Opening Keynote by Angela Y. Davis; participants include Karin Aguilar-San Juan, Mei-Mei Berssenbrugge, Rosa Linda Fregoso, Angela Ginorio, Evelyn Hammonds, Barbara Harlow, Joy James, Kamala Kempadoo, Deepa Mehta, Kathy Moon, Geeta Patel, Obioma Nnaemeka, Banu Subramaniam, Rea Tajiri, and Denise Uyehara. Conference is free, but pre-registration is required. For more information on the conference or the journal, see Web: <www.smith.edu/meridians>, or contact Kum-Kum Bhavnani, e-mail: meridians@smith.edu; T: (413) 585-3388; F: (413) 585-3362.

Northampton, MA: March 9–10, 2001

MARGARET MEAD'S LEGACY: CONTINUING CONTROVERSIES

The Barnard College Center for Research on Women presents "Margaret Mead's Legacy: Continuing Controversies," a conference examining the cultural impact of the renowned anthropologist. Mead worked to improve ethnographic techniques through participant observation and the use of new media, especially film and photography. In her role as a public intellectual, she addressed a wide range of topics including race, women's rights, the environment, health, and nutrition. Celebrating the centenary of Mead's birth and held at the College from which she was graduated, the conference includes two panels, "Continuing Controversies, Contemporary Frames" and "Beyond Nature vs. Nurture." The first panel will emphasize topics that defined Mead's work and that she helped to define, including gender, sexuality, the role of visual media in anthropology, and the relationship between scholarship and public life; the second panel will focus on broader cultural issues. Virginia C. Gildersleeve Professor Mary Catherine Bateson will provide reflections on Mead's legacy in closing remarks. Conference registration begins at 9 a.m., and the panels commence at 10 a.m. For more information please contact the Barnard Center for Research on Women, T: (212) 854-2067; Web: www.barnard.edu/crow.

New York, NY: April 6, 2001

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BENJAMIN NOW

The Forbes Center for Research in Culture and Media, Brown University, announces an interdisciplinary symposium: "Benjamin Now: Critical Encounters with Walter Benjamin's Arcades Project." The recent translation of the legendary Arcades Project, along with other new translations of Benjamin's work, promises to have major impact not only on the understanding of Benjamin himself, but on many fields: social theory and philosophy, cultural studies, literary theory, media studies, modernist and postmodernist studies, urban and architectural studies, and aesthetics. This symposium gathers scholars from several disciplines with a stake in Benjamin, including the translators of the Arcades Project. They will present substantive papers and participate in discussions of the significance of the Arcades Project and the "new" English-language Benjamin. Participants: Susan Bernstein, Claudia Brodsky-Lacour, T.J. Clark, Howard Eiland, Peter Fenves, Tom Gunning, Miriam Hansen, Michael Jennings, Kevin McLaughlin, Avital Ronell, Philip Rosen, Henry Sussman, Lindsay Waters, Samuel Weber, Peter Wollen. Web: www.modcult.brown.edu/BenjaminNow/.

Providence, RI: April 6–7, 2001

CHRISTIANITY AS A WORLD RELIGION

Sponsored by Calvin College Seminars in Christian Scholarship, this conference will examine the factors that have powered Christianity as a world religion and thus helped to shape a new era of intellectual and spiritual awakening. It will also focus on the Western missionary movement as the promoter and preserver of non-Western languages and cultures. This conference is hosted by Lamin Sanneh (Yale), and featured speakers include Paul Hiebert (Trinity International), Charles Taber (Emmanuel School of Religion), Jan van Butselaar (Netherlands Missionary Council), and Andrew Walls (Univ. of Edinburgh). Additional presentations by members of the 2000 Summer Seminar on the same topic. T: (616) 957-8558. e-mail <seminars@calvin.edu>; Web: www.calvin.edu/fss/spring.htm for registration and schedule.

Grand Rapids, MI: April 26–28, 2001

THE FUTURE OF HOPE

Calvin College Seminars in Christian Scholarship announces "Modernity, Postmodernity, and the Future of Hope," a conference hosted by Miroslav Volf of Yale Divinity School. Conference presentations will analyze modern forms of optimism, postmodern forms of tragedy and cynicism, and the impact of the contemporary global media culture of images on our ability to sustain normative visions of the future. Presenters will explore ways to retrieve authentically Christian language about the future. Featured speakers include John Millbank (University of Virginia), Jürgen Moltmann (Tubingen Universität), and Nicholas Wolterstorff (Yale Divinity School). Additional presentations by members of the 2000 Summer Seminar on the same topic. T: (616) 957-8558; e-mail <seminars@calvin.edu>; Web: www.calvin.edu/fss/spring.htm for registration and schedule.

Grand Rapids, MI: May 24–26, 2001

DESIGN, SELF-ORGANIZATION, AND CREATION

Calvin College Seminars in Christian Scholarship will be hosting the conference "Design, Self-Organization, and the Integrity of Creation" with William Dembski from Baylor University and the Discovery Institute. The aim of this interdisciplinary conference is to see whether a rapprochement between design and self-organization is possible that pays proper respect due both to the divine wisdom in creation and to the integrity of the world as an act of creation. Featured speakers are John Haught, Jed Macosko, Stephen Meyer, Scott Minnich, Paul Nelson, Alvin Plantinga, Del Ratzsch, and Jonathan Wells. Additional presentations by members of the 2000 Summer Seminar on the same topic. T: (616) 957-8558; e-mail <seminars@calvin.edu>; Web: www.calvin.edu/fss/spring.htm for registration and schedule.

Grand Rapids, MI: May 24–26, 2001

WCU POETRY CONFERENCE

The seventh annual West Chester University Poetry Conference welcomes writers and scholars June 6–9, 2001, with keynote poet Marilyn Nelson. Workshop faculty includes Kim Addonizio, Judith Baumel, Dick Davis, Michael Donaghy, Rhina P. Espaillat, Dana Gioia, R.S. Gwynn, Rachel Hadas, David Mason, Robert McDowell, and Timothy Steele. Special guests include Richard Wilbur, Derek Attridge, and William Jay Smith. Conference fees include daily workshops and scholarly presentations, a banquet, daily socials, and meals and lodging. Workshop scholarships are available. Scholarship applications must be received by April 20, 2001. Michael Peich/Dana Gioia, co-directors. Contact Linda Colgan, coordinator, WCU Poetry Conference, Dept. of English, West Chester University, West Chester, PA 19383-2124-904; T: (610) 436-3235; e-mail <poetry@wcupa.edu>, or Web: www.wcupa.edu/_ACADEMICS/sch_cas/poetry/.

West Chester, PA: June 6–9, 2001

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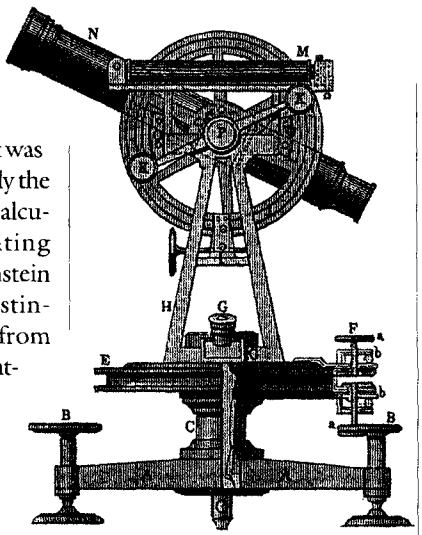
ECLIPSE OF REASON

THE FALSE CONFIRMATION OF ALBERT EINSTEIN

REVOLUTION IN SCIENCE/ NEWTONIAN IDEAS OVERTHROWN announced the front page of the London *Times* on November 7, 1919. The occasion for this headline was the reported confirmation of Einstein's general theory of relativity. Photographs of a total eclipse taken by a British expedition to the South Atlantic had borne out Einstein's prediction that the gravitational field of the sun bends starlight. The event was seen as a triumph not just for relativity but for science itself. Under closer scrutiny, however, it looks more like a case of high-minded fraud.

Light bending was the most dramatic effect predicted by relativity, and a solar eclipse was the only chance to observe it. During an eclipse, the stars around the sun become visible; if the sun's gravity deflects their light, then their apparent positions will shift a bit. (The shift can be measured by comparing a photograph of the stars during the eclipse with one taken when the sun is elsewhere in the sky.) Einstein had come up with two different figures for the expected shift. In 1911, he calculated that it would be 0.875 arc second (3,600 arc seconds = 1 degree). Four years later, using a more subtle relativistic argument, he doubled the prediction to 1.75 arc seconds.

In fact, the bending of light by gravity was not unique to Einstein's theory. It could also be derived from Newtonian axioms. More than a century earlier, a Bavarian astronomer named Johann Georg von Soldner had done just that. The deflection figure for starlight skimming the sun that Soldner arrived at was 0.875 arc second—precisely the same as Einstein's 1911 calculation. Thus, adjudicating between Newton and Einstein was not a matter of distinguishing no deflection from some deflection; it was a matter of distinguishing a minuscule deflection of 1.75 arc seconds from an even smaller one of 0.875 arc second—tricky to do even in the best of observational circumstances. (Atmospheric turbulence adds to the measurement difficulty, as do the imperfections of the telescope and photographic plates. Clouds can be fatal.)



The 1919 eclipse expedition was led by Sir Arthur Eddington, the Plumian Professor at Cambridge. A Quaker and a pacifist, Eddington had been exempted from military service in World War I because of his important journey. Mindful of how previous efforts to observe the deflection of starlight had been foiled by bad weather, he split the expedition into two parties: One would photograph the eclipse from northeastern Brazil, the other (of which he was a part) from an island off the coast of West Africa. As Clifford M. Will explains in *Was Einstein Right?* (1993), three possible outcomes were envisaged by Eddington: "No deflection would show that light was not affected by gravity, a half-deflection would confirm Newton, and a full-deflection would confirm Einstein."

The night of the eclipse, May 29, the expedition took three sets of photographs, two from Brazil (using different telescopes) and one from Africa. Of the sets from Brazil, the better of the two yielded a deflection figure of 1.98 arc seconds, well above the Einstein prediction; in fact, the chance of getting such a large measurement by random error if Einstein's theory were true would only be about one in ten. The less good set from Brazil yielded a deflection figure of 0.86 arc second—almost exactly the Newtonian value. The poorest of the three sets of eclipse photographs were those taken by Eddington's team off the coast of Africa, where cloudy conditions resulted in only two usable plates with five blurry dumbbell-shaped star images on each. The deflection calculated from these plates was about 1.61 arc seconds, somewhat below the Einstein prediction.

So, having obtained these equivocal sets of eclipse data, what did Eddington report to the Royal Society five months later? First he threw out the middle-quality set, which favored Newton. Then he averaged the figure from the most accurate set—which by itself cast grave doubt on Einstein's theory—with that from the least accurate set. And, mirabile dictu, the result was a near bull's-eye for general relativity. "It is a gift of fate that I have been allowed to experience this," a grateful Einstein wrote.

Eddington, who had long been Einstein's champion in England, was not unaware of his own bias. He later confessed to a colleague that if it had been up to him he "would not have planned the expeditions since he was fully convinced of the truth of the general theory of relativity." But he had an extra-scientific motive for massaging the eclipse data, and a rather decent one at that. As the philosophers of science John Earman and Clark Glymour have pointed out, Eddington—like Einstein—was a passionate opponent of nationalist prejudice. A British verification of Einstein's theory, he hoped, would help dispel the jingoism of World War I and bring about a rapprochement between British and German scientists.

Although Eddington convinced the world that general relativity was true, it was not until after World War II that astronomers obtained really solid evidence for it. Yet the myth of the 1919 expedition lives on. For example, in Michael White and John Gribbin's *Einstein: A Life in Science* (1996), we read that the deflections measured by the British team "were exactly in line with the predictions made by Einstein's theory." In science as in war, history is written by the victors.

JIM HOLT

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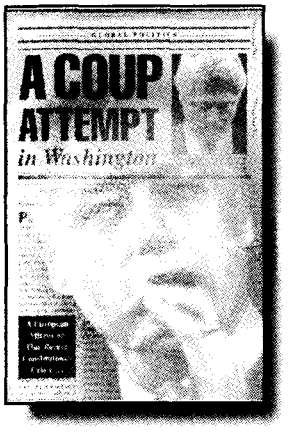

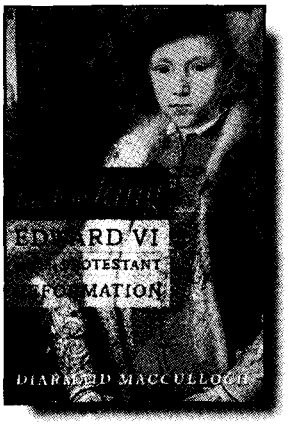

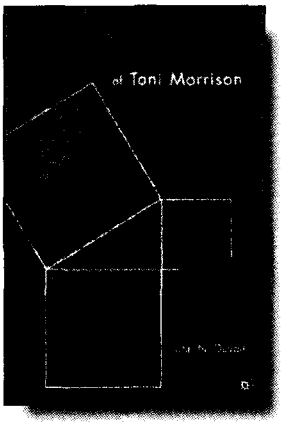

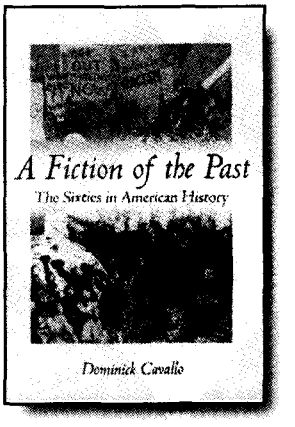

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